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JOURNAL

OF

THE SENATE

OF THE

STATE OF MISSISSIPPI,

AT

A REGULAR SESSION OF THE LEGISLATURE,

HELD IN THE

CITY OF JACKSON.

PRINTED BY AUTHORITY.

JACKSON:
PRICE AND FALL, STATE PRINTERS.

1848.

THE FLOWERS COLLECTION

J 83.7621
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1848

JOURNAL

OF

THE SENATE

OF THE

STATE OF MISSISSIPPI,

At a regular session of the Legislature, convened in the Capitol, at Jackson, on Monday the 3d day of January, A. D. 1848, and in the thirty-first year of the sovereignty of the State of Mississippi.

MONDAY, JANUARY 3d, 1848.

BE IT REMEMBERED, that at 11 o'clock on this, the 3d day of January, 1848, the Senate convened in its Chamber, in the Capitol, at Jackson.

On motion of R. H. Boone, Senator elect from the county of Tishemingo, Genl. C. M. Price was requested to call the roll of the Senators; which being done, the following named Senators appeared and took their seats:

J. L. Alcorn, Senator elect from the counties of Panola, Tallahatchie and Coahoma.

R. H. Boone, Senator elect from the county of Tishemingo.

R. O. Beene, from the county of Itawamba.

Parmenas Briscoe, from the counties of Claiborne and Jefferson.

W. R. Cannon, from the counties of Chickasaw and Oktibbeha.

W. P. Carter, from the counties of Newton and Lauderdale.

Philip S. Catchings, from the counties of Simpson and Copiah.

E. McCoy Davis, from the counties of Amite and Pike.

344558

Henry Gray, from the counties of Leake and Attala.

R. S. Greer, from the county of Marshall.

John I. Guion, from the county of Hinds.

James E. Harrison, from the county of Monroe.

J. V. Hodges, from the counties of Rankin and Smith.

B. Kennedy, from the county of Carroll.

James McDugald from the counties of Clark and Jasper.

J. McAfee, from the counties of Covington, Jones, Wayne and Green.

A. W. Ramsay, from the counties of Jackson, Perry, Harrison and Hancock.

O. R. Singleton, from the counties of Scott and Madison.

D. C. Sharpe, from the counties of Holmes and Sunflower.

T. Jones Stewart, from the counties of Franklin, Adams and Wilkinson.

All of whom are newly elected members:

Also, the following Senators, whose terms of office had not expired on the first Monday and Tuesday in November last, those being the days of the regular biennial elections:

A. W. Dabney, from the district composed of the counties of Noxubee and Winston.

Edward Johnson, from the county of Choctaw.

Dabney Lipscomb, from the county of Lowndes.

Felix Labauve, from the counties of De Soto and Tunica.

N. S. Price, from the county of Tippah.

A. H. Pegues, from the county of Lafayette.

W. B. Wilbourne, from the county of Yallabusha.

A quorum of the Senate being present,

On motion of Mr. Price,

Mr. Lipscomb was called to the Chair.

The newly elected Senators then came forward, presented their credentials, and the constitutional oath was administered to them by the Chairman.

It appearing that several Senators were absent,

On motion of Mr. Kennedy,

The Senate adjourned until 2 o'clock, P. M.

2 o'clock, P. M.

The Senate met.

Mr. John J. Pettus, from the district composed of the counties of Neshoba and Kemper, came forward, presented his credentials, and taking the oath prescribed by the constitution, took his seat.

Mr. Wm. A. Lake, from the district composed of Warren county and the city of Vicksburg, took the oath of office, and took his seat.

On motion of Mr. Guion,

The Senate proceeded to the election of a President.

The Chairman appointed Messrs. Price and Pegues to conduct the election as tellers.

On the first balloting, the following was the result:

D. Lipscomb	received	10	votes,
R. H. Boone,	"	6	"
N. S. Price,	"	1	"
P. Briscoe,	"	6	"
R. S. Greer,	"	1	"
W. R. Cannon,	"	2	"
B. Kennedy	"	1	"
R. O. Beene,	"	1	"
Jas. E. Harrison,	"	1	"
A. W. Dabney,	"	1	"

No member having received a majority of the votes cast, the Senate proceeded to ballot the second time.

On the second balloting, the vote stood as follows:

For Mr.	Lipscomb,	11	votes,
" "	Boone,	5	"
" "	Price,	2	"
" "	Briscoe,	6	"
" "	Greer,	1	"
" "	Cannon,	1	"
" "	Harrison,	1	"
" "	Davis,	1	"

No election having taken place, by reason of the fact that no member had received a majority of the votes, the Senate proceeded to a third balloting, which resulted as follows:

344578

Mr. Lipscomb, 13 votes,
" Briscoe, 7 "
" Boone, 3 "
" Cannon, 2 "
" Greer, 1 "
" Dabney, 1 "
" Harrison, 1 "
" Kennedy, 1 "

No election having taken place on the third balloting, the Senate proceeded to ballot a fourth time, when

Mr. Lipscomb received 17 votes,
" Briscoe, " 7 "
" Boone, " 2 "
" Greer, " 1 "
" Kennedy, " 1 "
" Harrison, " 1 "

It appearing that Mr. Lipscomb had received a majority of the votes, and was therefore constitutionally elected President of the Senate, Mr. Price, one of the tellers, administered to him the oath of office.

The President, thereupon, addressed the Senate in regard to its duties, and returned thanks for the honor conferred upon him.

The Senate then proceeded with its further organization; and

On motion of Mr. Kennedy,

The same tellers were required to act in the election of a Secretary.

Mr. Briscoe nominated Col. W. B. Tebo, as a candidate for Secretary of the Senate.

Mr. Kennedy nominated Mr. F. C. Jones,
Mr. Harrison " " R. H. Cocke,
Mr. McDugald " " D. F. Dozier,
Mr. Singleton " " J. A. Girault,
Mr. Dabney " " G. W. L. Smith.

The first balloting resulted as follows:

Mr. Dozier received 12 votes,
" Jones, " 6 "
" Smith, " 7 "
" Cocke, " 2 "
" Tebo, " 3 "

No person having received a majority of the votes, the Senate proceeded to ballot a second time for Secretary, when

Mr. Dozier received 13 votes,
" Jones, " 8 "
" Smith, " 6 "
" Cocke, " 1 "
" Tebo, " 1 "

No election having taken place, the Senate proceeded to ballot the third time, which resulted as follows:

Mr. Dozier received 16 votes,
" Jones, " 6 "
" Smith, " 7 "

It appearing that Mr. Dozier had received a majority of the votes, the President declared him duly and constitutionally elected Secretary of the Senate, and administered the oath of office to him, when he entered upon the discharge of the duties of his station.

On motion of Mr. Kennedy,

The Senate proceeded to the election of a Door-keeper.

Mr. Guion placed the following persons in nomination:

Mr. James H. Kerr,
Mr. Thomas Gordon,
Mr. Daniel M. Wilkinson.

Mr. Cannon nominated Mr. W. B. Cavanah.
Mr. Harrison nominated G. W. Johnston.
Mr. Ramsay " Willoughby.
Mr. Hodges " Gilchrist.
Mr. Ramsay " Evans,

The following is the result of the first balloting:

Mr. Cavanah received 10 votes,
" Willoughby " 2 "
" Kerr " 6 "
" Gordon " 4 "
" Gilchrist " 2 "
" Wilkinson " 5 "

No election having taken place, the Senate proceeded to a second balloting:

Mr. Cavanah received 9 votes,
" Willoughby " 3 "
" Kerr " 7 "

Mr. Gilchrist received 3 votes,
" Wilkinson " 4 "
" Evans " 1 "
" Booth " 2 "

A message was announced from the House of Representatives, which is as follows:

MR. PRESIDENT—I am instructed by the House of Representatives to inform the Senate that they have met, formed a quorum, elected the Hon. John J. McRae of Clark county, Speaker, E. P. Russell, Clerk, Mr. Pollard Mullins, Door-keeper, and are now ready to proceed to business.

The Senate proceeded to ballot the third time for a Door-keeper, which resulted as follows:

Mr. Cavanah received 12 votes,
" Willoughby " 7 "
" Kerr " 6 "
" Wilkinson " 2 "
" Gordon " 2 "

No election having taken place, the Senate proceeded to ballot the fourth time. The following is the result:

Mr. Cavanah received 18 votes,
" Willoughby " 7 "
" Kerr " 3 "
" Wilkinson " 1 "

Mr. Cavanah having received a majority of the votes, was declared duly elected Door-keeper, and the President administered to him the oath of office.

On motion of Mr. Labauve,

Resolved, that the Secretary inform the House of Representatives, that the Senate has elected its officers, and is now ready to proceed to business.

Mr. Kennedy offered the following resolution:

Resolved, that a committee of three, on the part of the Senate, and ——, on the part of the House of Representatives, be appointed to wait on his Excellency, the Governor, and inform him that the two houses have organized, and are now ready to receive any communication he may have to make to them.

The rules being suspended, the question was taken on the adoption of the resolution;

Which resulted in the affirmative.

The President appointed Messrs. Kennedy, Guion and Boone, the committee on the part of the Senate.

Mr. Boone introduced the following resolution:

Resolved, (the House concurring,) that the two houses meet to-morrow, at 11 o'clock, to elect State Printer and Sergeant-at-arms.

On motion of Mr. Boone,

The rules requiring joint resolutions to lie one day on the table, were suspended.

Mr. Kennedy moved to amend the resolution, by striking out the words, "State Printer;"

Which was agreed to;

And the resolution, as amended, then put upon its passage,

And passed.

On motion of Mr. Labauve,

Resolved, that the rules adopted for the government of the Senate at its last session, be adopted by the Senate for its government at the present session.

On motion of Mr. Kennedy,

Resolved, that the several editors and reporters of the public newspapers in this State, be permitted to take seats within the bar of the Senate.

On motion of Mr. Kennedy,

The Senate adjourned until 10 o'clock, to-morrow.

TUESDAY, JANUARY, 4, 1848,

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Guion presented the petition of Mary Colbert of the county of Hinds,

Which on motion,

Was referred to a select committee of three;

Messrs. Guion, Lake, and Boone, were appointed said committee.

Mr. Price presented the petition of Booth Malone and Richard H. Malone; which,

On motion,

Was referred to s select committee of three.

Messrs. Price, Gray and Pettus were appointed said committee.

Mr. Singleton offered the following resolution, to-wit:

Resolved, That the several Ministers of the Gospel of this city and those who may visit here, be invited to open the morning sessions of the Senate with prayer;

Which was read and adopted.

Mr. Price called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Alcorn, Cannon, Davis, Greer, Guion, Harrison, Hodges, Johnson, Kennedy, Lake, McAffee, Singleton, Stewart, and Wilbourne—15 votes.

Noes—Messrs. Boone, Beene, Briscoe, Carter, Catchings, Dabney, Gray, Labauve, McDougald, Price, Pegues, Pettus, Ramsay, and Sharp—14 votes.

Mr. Kennedy offered the following joint resolution, to-wit:

Resolved, (wih the concurrence of the House of Representatives,) That the joint rules of the two houses, adopted at the last session, be adopted as the joint rules at the present session;

Which was read and adopted.

Mr. Boone offered the following resolution, to-wit:

Resolved, That the hours of meeting of the Senate shall be nine o'clock A. M., and adjournment to two o'clock P. M.

Which was read.

On motion of Mr. Labanve,

"Nine" in said resolution was stricken out, and "ten" inserted,

And said resolution, as amended, was adopted.

The following message was received from the House of Representatives, through Mr. Russell, their clerk;

MR. PRESIDENT—The House of Representatives have concurred in the joint resolution of the Senate, appointing to-day at 11 o'clock, for the two houses to meet in the Representative Hall, for the purpose of electing a Sergeant-at-arms.

The House of Representatives have adopted the following joint resolution:

Resolved, (the Senate concurring,) That the joint rules of the two houses adopted at the last session, be adopted as the joint rules of the present session. In which I am instructed to desire the concurrence of the Senate.

The House have concurred in the resolution of the Senate, ap-

pointing a committee to wait upon his Excellency the Governor, and have appointed on the part of the House, Messrs. Hancock, Cushman, Henry, Whitfield, and Thames.

Mr. Briscoe gave notice, that he would, on Thursday next, ask leave for the introduction of a bill,

To be entitled an act,

To repeal the law passed at the last session, establishing Congressional Districts in this State.

On motion of Mr. Labauve,

The Senate took a recess of ten minutes.

The recess having expired,

The Senate met.

The following message was received from the House of Representatives, through their clerk:

MR. PRESIDENT—I am instructed by the House of Representatives, to inform the Senate that the Hall of the House is now ready for the reception of the Senate, to the end that the two houses proceed to the election of Sergeant-at-arms, in pursuance of a resolution adopted by the two houses;

And forthwith, the Senate concurred in said resolution, and repaired to the Hall of the House of Representatives, and took the seats assigned them.

The President of the Senate having announced the object for which the two houses had come together:

Mr. Cushman of the House,

Moved to conduct said election *viva voce*,

Which was lost.

Mr. McAffee of the Senate, nominated Lawson Booth of Covington county, a candidate for Sergeant-at-arms.

Mr. Dilworth of the House, nominated Joseph S. Leake of Tishemingo county.

Mr. Wilson of the House, nominated A. S. Bailey of De Soto county.

Mr. Singleton of the Senate, nominated Samuel B. Dougherty of Madison county.

Mr. Catchings of the House, nominated B. D. Chapman of Hinds county.

Mr. Lake of the Senate, nominated Gen. T. C. McMackin of Vicksburg.

Mr. Noble of the House, nominated Samuel Lemley of Hinds county.

Mr. Hill of the House, nominated Reuben Leech of Copiah county.

Mr. Ramsey of the Senate, nominated Mr. Willoughby of Perry county.

Mr. Lynch of the House, nominated J. A. Ferguson of Rankin county.

And thereupon, the Secretary of the Senate, and the Clerk of the House of Representatives, proceeded to call their respective rolls.

On casting up the votes, it appeared that

Mr,	Booth	received	7 votes,
"	Leake	"	26 "
"	Bailey	"	38 "
"	Dougherty	"	5 "
"	Chapman	"	5 "
"	McMackin	"	7 "
"	Lemly	"	14 "
"	Leech	"	8 "
"	Willoughby		6 "
"	Ferguson	"	8 "

From which it appeared that no choice had been made, and the President thereupon announced to the joint meeting the result; and the Secretary of the Senate, and the Clerk of the House of Repsentatives proceeded to a second call.

The result is as follows:

Mr.	Booth	received	5 votes,
"	Bailey	"	49 "
"	Leake	"	28 "
"	Lemly	"	21 "
"	Leech	"	5 "
"	McMackin	"	3 "
"	Willoughby		6 "
"	Ferguson	"	7 "

From which it appeared that no choice had been made, and the President thereupon, announced to the joint meeting the result.

The names of Messrs. Booth, Leech, McMackin, Willoughby, and Ferguson, having been withdrawn, the Secretary of the Senate, and the Clerk of the House of Representatives, proceeded to a third call.

The result is as follows, viz :

Mr. Bailey	received	59	votes,
" Leake	"	37	"
" Lemly	"	28	"

From which it appeared that no choice had been made, and the President thereupon announced to the joint meeting the result; and the Secretary of the Senate, and the Clerk of the House of Representatives, proceeded to a fourth call,

Which terminated as follows :

Mr. Bailey	received	67	votes,
" Leake	"	22	"
" Lemly	"	35	

Whereupon the President announced that Mr. Bailey was duly and constitutionally elected Sergeant-at-arms. The oath of office was then administered to Mr. Baily by the Clerk of the House of Representatives, and he forthwith entered upon the discharge of his official duties.

The joint meeting having accomplished the object of their assemblage, the Senate withdrew to their Chamber, and resumed the consideration of their business.

The following message was received from the House of Representatives, through their Clerk, to-wit :

MR PRESIDENT—I am instructed by the House of Representatives, to inform the Senate that they have adopted the following resolution :

Resolved, (with the concurrence of the Senate,) That the two houses convene in the Representative Hall on Thursday, the 6th inst., at 12 o'clock M., for the purpose of opening and publishing the returns of election for Governor of the State, at the late November election.

In which I am requested to desire the concurrence of the Senate.

Mr. Kennedy, from a joint select committee made the following report, to-wit :

MR. PRESIDENT—The joint select committe appointed to wait on his Excellency the Governor, and inform him that the two houses were now organized, have performed that duty, and have instructed me to report that his Excellency will communicate a message in writing to-day at 12 o'clock, M.

On motion of Mr. Greer,

The Senate took a recess for ten minutes.

The recess having expired, the Senate met.

Mr. Labauve offered the following resolution, to-wit:

Resolved, That the two houses meet in the Hall of Representatives on Thursday, 11 o'clock, A. M., 6th inst., for the purpose of counting the votes for Governor, and for the further purpose of electing a State Printer, and a Keeper of the Capitol and Librarian; which was read.

Mr. McAffee moved to suspend the constitutional rule, and adopt said resolution forthwith, which was lost.

The President announced that he had received from William Clark, the late State Treasurer, a communication,

Which on motion of Mr. Guion,

Was laid on the table.

The President announced that he had received from the Secretary of State, a communication,

Which on motion of Mr. Guion, was laid on the table.

On motion of Mr. Labauve,

The vote on the resolution fixing on 2 o'clock as the hour of adjournment was reconsidered;

And on the further motion of Mr. Labauve,

Said resolution was laid on the table.

On motion of Mr. Greer,

The Senate took a recess until half after 2 o,clock, P. M.

HALF PAST 2 O'CLOCK, P. M.

The recess having expired, the Senate met.

Mr. Guion asked and obtained leave to the introduction of a bill, to be entitled

An act to change the time of holding the Probate Court of Hinds county;

Which was read the first time.

Mr. Harrison gave notice that he would, on Friday next, introduce a bill to be entitled,

An act to dispose of the Internal Improvement lands of this State.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

MESSAGE.

Fellow-citizens of the Senate and of the House of Representatives:

It affords me pleasure to greet you on your assemblage at the seat of government, with a statement of the improved condition of our public affairs, and to congratulate you upon the general prosperity which pervades the country.

Although, from providential causes in 1846, and commercial revulsions abroad in 1847, the profits of the planter have been somewhat diminished, his income has been large, and all things considered, persons engaged in agriculturral and other industrial pursuits, have greatly prospered. Taxes have been paid without murmuring, and accounted for by collectors with unusual punctuality. The treasury, having recovered from its embarrassments, has continued for two years past, without intermission, to pay all authorised demands upon it, and now contains a surplus of $115, 755 41, exclusive of the Two and Three per cent funds. A summary of the biennial receipts and disbursements on account of taxes, presents the following result:

Taxes for 1845, received in 1846,	$351,278 72	
" " 1846, " " 1847,	328,407 16	
		$679,685 88
Disbursed in 1846, : : :	380,437 97	
" " 1847, : : :	233,521 73	$613,959 70
Excess of receipts over disbursements, : :		65,726 18

Exclusive of fifty thousand and twenty-nine dollars and twenty-one cents, received from miscellaneous sources in money, and eighteen thousand dollars in Planter's Bank bonds.

The Auditor's reports show warrants issued prior to and outstanding, January 1, 1846, : : : :	$271,749 71
Issued in 1846, : : : : : :	227,055 51
" " 1847, : : : : : :	152,191 21
Whole amount issued to January 1st, 1848,	650,996 43
" " redeemed from Jan'y. 1846 to 1848,	613,959 70
Exhibiting warrants outstanding this day, -	37,036 81

Against a surplus in the treasury of $115,755 41, or an excess of present means, over present liabilities of $78,718 60.

It will be seen that there is a diminution in the revenue for 1846, (received in 1847,) as compared with the year previous of near twenty-three thousand dollars. This is attributable to the revenue law of the last session of the legislature. But for that law, the constantly increasing wealth and population of the State, would have augmented the revenue near ten thousand dollars in 1846–7, and this sum would, by the same means, have been increased each succeeding year; and thus the State, without any sensible effort on the part of her citizens, would, by the power of her natural growth, have risen superior to all future embarrassments. If there is any one thing in which, above all others, the State may invoke the forbearance of her law-givers, it is in this matter of improvident interference with her revenue laws. It will be seen by a just investigation of our indebtedness, as compared with our resources, that the State has use for even more revenue than would have been realised under the law as it existed in 1844–5.

The assessments for the year 1847, but little of which has yet been paid into the treasary, amount to about three hundred and seventy-five thousand dollars. After making reasonable deductions for assessing, collecting, and insolvencies, the amount to be received will not vary much from three hundred and thirty thousand dollars. The expenditures for the present year are estimated at two hundred and ten thousand dollars. So that the receipts will probably exceed the disbursements one hundred and thirty thousand dollars; which, added to the surplus now in the treasury, would give us two hundred and forty-five thousand seven hundred and fifty-five dollars and forty-one cents, at the end of the year. The State is indebted to the Sinking fund ninety-five thousand dollars, and to the Seminary fund about sixty thousand dollars; and these sums ought to be provided for. Special reference will be made to them hereafter.

For a more perfect understanbing of the financial condition of the State, and the practical operations of the existing revenue laws, reference is made to the voluminous and very satisfactory report of the late Auditor, James E. Matthews, Esq. herewith transmitted to the House of Representatives. The report has been prepared with great care, and presents in a clear and comprehensive light, the affairs of the department over which the late Auditor has presided with ability and fidelity for the last six years. It is worthy a minute investigation, and is earnestly recommended to the attention of the legislature and of the country.

In estimating the indebtedness of the State, the bonds issued on account of the Planter's Bank, have been included. My last general message conveyed to the legislature and the country, my views as regards the State's liability to pay these bonds. These opinions have undergone no material change, but a reiteration of them is uncalled for, and would be unprofitable at this time. Having long since settled in my own mind, that the State is bound by every obligation that the constitution and the laws can impose, to pay

the debt, it has only remained to devise some means acceptable to the people, and not too oppressive, by which it could be done. The whole subject has been calmly considered, and however it may be regarded by others, there is, to my mind, but one course to be pursued worthy the character of a great and growing State, and that is to raise the money by taxation and discharge the debt as rapidly as possible. That course is respectfully but earnestly recommended. The debt now stands as follows:

Bonds issued in March, 1833, : : : :	$1,500,000
6 per cent interest from March, 1839, to Jan'y. 1848,	795,000
Bonds issued in July, 1831, : : : :	500,000
6 per cent interest from July, 1839, to Jan'y. 1848,	255,000
Total, : : : : : : : : :	3,050,000

Subject to a deduction of twenty-four thousand three hundred and forty-one dollars, in bonds and coupons, paid into the treasury by the State Commissioner, or now remaining in his hands, for an account of which, reference is made to the report of that officer.

The annual interest on the bonds, it will be seen, is one hundred and twenty thousand dollars. The probable receipts for the present year, under the existing revenue law as we have seen, will be three hundred and thirty thousand dollars; and the expenditures, (including the legislature) two hundred and ten thousand dollars, so that the sum remaining in the treasury after defraying the ordinary expenses, will not be sufficient at the present rate of taxation to pay more than the interest accruing; thus leaving the principal and back interest wholly unprovided for. It has been proposed to apply the State lands to the payment of this debt. My solemn protest is hereby rendered against such a proceeding—first: because the land having been given for other purposes, we have no right to use it in this way. Secondly: because we ought not so to use it if we had the right; if we owe the debt at all, we owe it in money and ought to pay it in money. Thirdly: because it is just as well to levy taxes to pay the bonds as to levy them to pay for the land. Fourthly: because if we do not intend to pay for the land after using it in paying the bonds, we mean to violate our faith with the United States, who gave it for purposes of internal improvement.

The relation which the Sinking Fund bears to these Bonds may be easily explained. The Bonds were sold and the proceeds invested in Planters' Bank Stock; the dividends on this stock were pledged for the redemption of the interest on the Bonds, and the interest being paid, the surplus dividends constituted a Sinking Fund. The Bank for many years declared large dividends, and the surplus accumulated to several hundred thousand dollars. The President and Cashier of the Bank, and the Auditor of Public Accounts constituted a board, authorized by law, to manage this fund. The Legislature in 1844, being dissatisfied with the management of this

board, ejected them, and ordered the appointment of a Commissioner to take charge of the fund. This officer has collected and paid (most of it) into the Treasury, about one hundred and nineteen thousand dollars, of which twenty-four thousand three hundred and forty-one dollars, is in the Bonds and Cupons of the State. The remaining ninety-five thousand dollars, belongs of right to the Bondholders, and its immediate appropriation for their use is earnestly recommended. The State has no earthly claim to it. If the principal sum was not borrowed on the Bonds of the State, she can have no claim to the dividends accruing from its investments. If it was so borrowed, then she contracted a debt in borrowing it for the redemption of which this fund stands pledged. It cannot be therefore that any man of any party will be found to oppose the immediate application of the amount now in the Treasury, to the credit of the Sinking Fund, to the payment of the Bonds as far as it goes.

The Two Per Cent. Fund amounts to abount two hundred and ten thousand dollars. Of this sum, one hundred and forty-six thousand eight hundred and twenty-three dollars was received by me, under the authority of an act of the late Legislature, and one hundred and forty-three thousand eight hundred and thirty-one dollars and seventy-one cents, paid immediately after its receipt, to-wit: February 6th, 1847. The remaining two thousand nine hundred and ninety-one dollars was retained by me to meet certain extraordinary contingencies, and will be accounted for in another communication. Of the sum received by me and paid in, one hundred and thirty-six thousand seven hundred dollars, was in United States Treasury Notes, drawing an interest of 5 2-5 per centum per annum. The interest increased a fund for which the State had no immediate use, and the warrants were more conveniently kept than specie, for these reasons they were taken in preference to gold and silver. In addition to the sum in the Treasury to the credit of this fund, there is justly due it about thirty-five thousand dollars on account of Graves' defalcation. It is not probable that any considerable part of this sum will ever be recovered. The securities once offered to pay twenty thousand dollars on the whole defalcation of forty-four thousand dollars for a final discharge—no one was authorized to compromise for the State, and the proposition was not therefore accepted. It is not certain that the offer will be renewed, but power to settle by compromise should be given to the Governor or some other officer: otherwise it is my opinion nothing of consequence will ever be obtained.

The Southern Rail Road Company to which this fund was given under certain limitations by an act approved February 23d, 1846, has not been organized in conformity with the act, and no part of the money has therefore been used for the construction of the road. It is presumed that the Company will organize at no distant day, and the fund should be retained in good faith, and ap-

plied to the construction of the road whenever it can be done with advantage to the public.

Whether it will be better to direct its immediate application, or to delay until other means can be obtained to assist in carrying on the work, is a matter worthy of the serious deliberation of the Legislature. My own opinion is in favor of the application. The road, if constructed twenty miles beyond Jackson, would support itself and pay a small dividend on an investment of two hundred and fifty thousand dollars. Its advantages to the Eastern part of the State would be very great. Should the legislature deem the immediate application of the fund inadvisable, it ought at once to be put at interest for the future benefit of the road. United States six per cent. bonds offer the best security, and its investment therein is most respectfully recommended.

The whole amount of lands registered on account of the 500,000 acres, is 529,696 acres, and about 20,000 acres have been located by the Commissioners of the State and not yet registered. The reason for locating so large an excess is to provide against rejections by the Secretary of the Treasury in consequence of pre-emption rights and other conflicting claims. Thus far 354,034 acres have been approved by the Secretary of the Treasury, and for various reasons 16,275 acres have been rejected. One hundred and ninety-four thousand and twenty-five acres have been registered to the credit of the Chickasaw School Lands. Of this amount 123,642 acres have been approved by the Secretary of the Treasury, and 5,368 acres rejected. It is not doubted that enough has been secured by location and registration to cover both grants after every reasonable deduction shall have been made. Should the lands be offered for sale, it must be recollected that the State's title is not perfect except to such parcels as have been approved by the Secretary of the Treasury. As the record made by the Secretary of State of the lands *Registered*, is necessarily rendered incorrect and uncertain by the numerous *rejections* subsequently made at Washington, it will be proper to require another record of the lands as approved. The corrected lists have been deposited with the Secretary of State. The attention of the Secretary of the Treasury has been called to the unapproved locations, and he has been requested to dispose of them at as early a day as possible. The multiplicity of that officer's engagements have prevented his compliance with the request up to this time.

In despite of every reasonable precaution to prevent it, locations have sometimes been made on tracts in the actual occupancy of settlers, they having neglected to declare their intention to remain, and thereby secure pre-emptions according to the act of Congress. The State had the legal right to make the location, yet she ought not to take advantage of her citizens. Liberal Legislation in regard to these settlers is respectfully recommended.

The opinions advanced by me in my last communication on the subject of disposing of these lands have undergone no material change. The five hundred thousand acres can be used for no other than purposes of Internal Improvement. Of such improvements the State is in great need. The levy on the Mississippi, and the navigation of our interior rivers are objects worthy of liberal appropriations in land, or in money if the lands are sold. The best interest of the State forbids the sale of the lands at a price below their actual value. The five hundred thousand acres belong to the whole State, and the school lands to the Chickasaw counties. No one person has the right therefore to appropriate any part to himself without paying a fair equivalent to all the others in interest. Should pre-emptions be granted, it should be done with caution and at a price not below the fair value of the land. The Legislature ought in my opinion to fix the minimum at eight dollars the first year, seven the second, and so on down to one dollar per acre.

Persons have been in the habit of committing depredations on the public lands, which it has been my anxious desire to prevent. Considering it within the *spirit* of our Legislation to encourage actual settlement, it has not been my purpose to molest those who have sought a home on the lands of the State; but other persons, and some of them non-residents of this State, have gone on these lands and cut down and rafted away large quantities of timber, thereby lessening and in some instances wholly destroying their value. The law for the punishment of such offenders has been found uncertain and insufficient. Your attention is called to the subject in the hope that it may receive early and prompt attention.

The State holds the title to large quantities of land bought by her for taxes. The owners have manifested little or no disposition to redeem it. It would be well to direct the Auditor or some other officer to sell it at private entry, giving a quit claim at a price sufficient to pay all arrearages for taxes.

The buildings for the State University at Oxford are progressing as rapidly as could be anticipated. And it is expected that the institution will be opened for the reception of students, sometime during the present year. The location is a healthy and pleasant one, in the midst of an intelligent and growing population, and though not the most central that could have been selected, all things considered, it presents as many advantages as any other point. In view of the constantly increasing demand for such an institution, it is sincerely hoped that it will receive the support of our people, and the fostering care of the Legislature. Long years of neglect have dissipated a large portion of its once munificent endowment, but enough has been saved from the general wreck to establish the institution on a respectable and safe footing. In my last general message, the Legislature was informed that about one hundred thousand dollars of the University Fund had been lost by an improvident investment in Planters' Bank Stock. My rea-

sons were then given for thinking the State bound to make indemnity for the loss, and though not now repeated, they are still entertained. The Auditor's Report shows there to be in the Treasury, to the credit of the University, sixty thousand eight hundred and fifty-nine dollars and seventy-seven cents, independent of the fifty thousand appropriated in 1846, for the erection of buildings. There is, in the Commissioners hands, detained under an injunction in Chancery, six thousand six hundred and thirty-two dollars, of which his report will give you a detailed account. And there is due the fund, in solvent debts not yet collected, twenty-five thousand dollars: thus the whole funds of the Institution amount to near ninety-three thousand dollars, exclusive of the Planters' Bank debt. It is hoped that no further appropriation will be required for building purposes, and that whatever sum is ascertained to be due the University, will at once be put at interest. The State in my opinion, should retain the principal and pay the interest for the benefit of the Institution in semi-annual instalments.

The Common School law of the last session has not fulfilled the anticipations of its friends. The report of the Secretary of State, herewith transmitted, will bring you acquainted with its operations. Its immediate repeal, and the substitution of an act more in accordance with the suggestions contained in my message at the opneing of the session in 1846, is respectfully recommended.

The educational wants of the State require the establishment of a Normal School, where young gentlemen and ladies may be educated for the profession of teaching. The want of competent teachers is very sensibly felt, even by those who have the means to educate their children. An interesting paper on this subject, drawn up at my request by the Hon. J. S. B. Thatcher, is herewith transmitted. The subject has heen so fully considered as to supercede the necessity of my pursuing it. The views of Judge Thatcher meet my cordial approbation, and are therefore recommended to your favorable consideration.

The Rev. Mr. Champlin, a blind philanthropist has been for some time engaged in the humane work of teaching the blind. He has received the aid of many charitable persons, and intends making application to the Legislature for further assistance. Many of the States of this union have properly lent their assistance to this benevolent work, and no doubt is entertained that Mississippi will follow their example.

Although opposed to the increase of salaries as a general rule, it has occurred to me that the true interest of the State would be promoted by increasing the salaries of the District Attorneys to a sum equal to those of the Circuit Judges, and by prohibiting them from practicing *in their own circuits* in civil cases. In this way the State would procure the undivided attention of able lawyers, and thus have the best possible guarantee that her interest in Court would not suffer. The present low salaries do not justify Attor-

neys in abandoning the civil docket; and nothing is risked in asserting that no lawyer of respectable standing would be confined to the criminal docket for the salary of a District Attorney. Economy and a faithful administration of the criminal laws equally demand this change.—Our Judicial system costs an annual sum little short of thirty thousand dollars over and above all the salaries in that department. Much of this large amount is paid for cost in cases where the State has failed in the prosecution, through some official neglect or incompetency, and where the guilty have in consequence gone unpunished. The foregoing recommendation if carried out, it is hoped will correct this great and growing evil.

The success of the Penitentiary for the last two years has not equaled the general expectation. In 1846, the balance sheet exhibited a loss of eight hundred and eighty-four dollars and fifty-three cents: and this year the gain is shown by the same exhibit, to be eighty-five dollars and fifteen cents. In justice, it should be admitted that the losses have been greater than the reports indicate. By an investigation of the accounts for 1846, it will be seen that six thousand five hundred and seventy-three dollars and seventy-three cents, was drawn from the Treasury in that year; and this year, 1847, six thousand three hundred and thirty-nine dollars and forty-eight cents has been drawn for the use and support of the institution; and that the income is credited in 1846, by stock and tools on hand, nineteen thousand six hundred and fifty-nine dollars and seven cents, and in 1847, by twenty-six thousand six hundred and three dollars and sixty-three cents.

All this material is valuable, and it may be worth the estimated sums. The tools are subject to waste however from constant use, and other articles will depreciate in value from being kept on hand. Until converted into money, their precise value cannot be ascertained. A rigid investigation into all the affairs of the prison is due to its officers and to the public, and is earnestly recommended by me. The reports of the inspectors and other officers for the two last years, ending Nov. 30th, 1847, are herewith transmitted, and will make you acquainted with the operations of the institution during that time. Your attention is especially directed to the report for 1847, and the recommendations therein contained: various difficulties have interposed to prevent a fair experiment in the business of manufacturing cotton and other goods as was intended by a law of the last Legislature. For full information in respect to the progress made in the business of manufacturing, respectful, reference is made to the report for 1847. Hopes are confidently entertained that the experiment will in the end prove highly successful and satisfactory, and that the prison will thence cease to be a charge on the Treasury. It is worthy of remark, that the Penitentiary mode of imprisonment, expensive as it has seemed to be is cheaper than any other, and recommends itself as the best means of punishing malefactors by its efficacy and its humanity.

Benj. G. Weir, esq. resigned the superintendency of the prison in May last. The executive appointment was tendered to J. W. Wade of Holmes county, who entered immediately on the duties of the office, and has continued to discharge them to my entire satisfaction.

Attention is respectfully called to the manner of keeping books in the Auditors' Office. The plan is radically defective. The business is rendered complicated and difficult to understand? Accounts are so intermingled that a proper investigation of them is almost impossible. Charges are made under general heads, as the Legislative, Executive, Judicial, &c., and no individual accounts are kept. It is respectfully suggested that a *debit* and *credit* account should be opened with every individual who has monied transactions with the office, on one side of which he may have credit for what is due him, and be charged on the other with the amount paid him: thus, exhibiting at a single view, the state and condition of each mans account. It would be well to open an account with each county in the State, crediting each with all that is received from it, and charging each with all that is paid to it or its citizens. Salaries of the State Officers might be charged *pro rata* to the several counties according to their population; and those of District Officers according to the number of days, service rendered to each. Such accounts would be easily kept, and would be useful as matters for future statistical reference.

The habit of paying members of the Legislature, Judges, and other officers, and indeed of paying almost the entire sum that goes out of the Treasury without any special appropriation, seems to me to conflict with the 7 Sec., 7 Art. of our State Constitution. The language of the State and Federal Constitution on this point is precisely the same, that "no money shall be drawn from the Treasury, but in consequence of an appropriation made by law"—Congress has deemed that specific appropriations were necessary to pay the stated salaries of the Judges, Cabinet Officers, and Foreign Ministers: the salary of the President, and even their own per diem allowance. Not a dollar goes out of the National Treasury without first passing the ordeal of a Congressional appropriation. It will be admitted that this construction of the Constitution is the safe one; and as it will require but little trouble and no expense to conform to it strictly, it ought to be done. We should in future require estimates from the Auditor's Office for the annual expenditures of the State. Appropriations should be made for every dollar that is to be paid out, and the issues should be kept strictly within the appropriations. By this means, the people would at least see a point beyond which their annual payment could not be made to go.

The attention of the Legislature is again called to the immediate and pressing necessity for a Lunatic Asylum in this State. It is a reproach to any christian people, that lunatics and insane persons should go at large, unprotected by the care of their fellows, con-

stantly exposed to danger themselves and putting in eminent peril the lives and property of others. An appropriation of three thousand dollars if judiciously expended, would remedy this long neglected and crying evil.

Our statute punishing retailers of spirituous and vinous liquors is defective in this; that it imposes an indiscriminate penalty of thirty days imprisonment and five hundred dollars fine in every case of conviction. There are degrees in the magnitude of this offence, as in all other cases. The *quo animo* should be strictly regarded, and the man who, by accident rather than by design, infringes the law, should be punished in a less degree than one who flagrantly and perseveringly sets the law at defiance. The ends of justice will be subserved by leaving it discretionary with the court before which a conviction is had, to punish offenders of this class, say from one days imprisonment and twenty-five dollars fine, to one months imprisonment and five hundred dollars fine.

The law is defective on the subject of punishing burglary. No penalty is affixed by our statute to this offence when committed by a *slave*, and it is doubtful if punishment can be inflicted, or to what extent if at all. Manifestly it is an omission in the law, which should be supplied without delay.

Your attention is again called to the necessity of making some suitable provisions for protecting the public arms. Vast quantities of arms and accoutrements are annually lost and destroyed for the want of an armory and some competent person to take charge of them. The loss since our State existence, is little short of one hundred thousand dollars, and that sum is increasing annually by a sum arger than is required to keep the arms securely.

By reference to the Report of the Adjutant General herewith transmitted, it will be seen that the Militia of the State is in a good state of organization.

Hon. Jesse Speight, Senator in Congress from this State, died at his residence in Lowndes county, on the first day of May last, and on the tenth day of August, Col. Jefferson Davis received and accepted the executive appointment to fill *ad-interim*, the vacancy thus created. The duty of electing a successor devolves on the Legislature.

In obedience to a legislative requirement, efforts have been made by me to collect the sum of six thousand one hundred and twenty-five dollars, expended by this State in 1836, in calling out Volunteers in compliance with the requisition of Major Gen. E. P. Gaines, U. S. A. The accounting officers at Washington have declined paying the claim, and assign the want of lawful authority as the reason. An appeal has been directed to Congress, but thus far without success.

In conformity with the Legislative direction, suit has been instituted on the Bonds of the Newton and Lauderdale Turnpike Company—it is still pending in the Circuit Court of Clark county. One

of the greatest obstacles in the way of a successful prosecution of the suit, is the loss of the original bonds, and the difficulty in procuring correct or authentic copies. By way of preventing similar difficulties in future, it should be made the duty of every officer with whom official and other bonds are deposited, to *record* them in a well bound book to be kept for that purpose, and copies from this record should be received in evidence when the originals are lost.

A. Hutchinson, esq. has bestowed great labor in the preparation of a Compilation of our Statutes. The work is highly approved by competent judges; and as the wants of the State imperiously demand such a book, it is respectfully recommended to your attention. The cost of the publication cannot be borne by the compiler on his sole responsibility, and if on full examination, the book is found worthy of patronage, the Legislature ought to afford such assistance as will ensure its speedy production.

Howard and Hutchinson's Code, is almost out of print. In the course of ten years many of the laws embodied in it have been modified, altered or repealed. Some of the pamphlet laws will have very soon to be reprinted, as the originals are almost or quite exhausted. Hereafter a larger number should be published, unless the Legislature should think proper to order a Compilation of all the Statutes. Many reasons might be assigned why a Compilation is preferable to any other mode of supplying the laws, but most of them will be so apparent to members of the Legislature as to render the mention of them unnecessary. In fixing the number of copies of any law, ordered to be published, proper allowance should be made hereafter for the increasing population of the State, and the consequent increase in the number of the officers as well as for the more important fact that many of the books and pamphlets that are scattered over the State, in the hands of several thousand persons, are lost or destroyed by neglect, or worn out by constant use. When other officers are elected, they must therefore be without the laws unless the State can furnish them.

Our Law and Chancery Reports number sixteen volumes.—The decisions have been digested by W. C. Smedes, Esq., one of the present reporters to the Supreme court, in a volume of about four hundred pages. In view of the difficulty of ascertaining and understanding the decisions of our courts by officers, who are not lawyers, the utility of such a book is manifest. It gives the decisions under proper heads in such manner as to place the adjudications on all the various points in an accessible and convenient form before the reader; this work is well spoken of by the judges of the High Court of Errors and Appeals in a letter herewith transmitted, and is by me recommended to the favorable consideration of the legislature.

The public buildings at Jackson have been greatly neglected for some years. Necessary repairs have not been made for want of means. The utmost that could be done with the limited amount

at my disposal, has been to prevent absolute waste. There should be an annual appropriation placed at the disposal of the Governor to keep the buildings in repaiair.

The United States has purchased a lot of ground in the village of Biloxi, with the view to the erection of a light-house thereon, in pursuance of an appropriation by congress for that purpose. A letter from James E. Saunders, collector of the port of Mobile is herewith transmitted, asking the passage of an act ceding jurisdiction to the United States over said lot. Your early attention is invited to the subject.

The amendment proposed by the last legislature to our State constitution in regard to banks, was voted on at the November election, 1847. The whole number of votes cast for members of the legisiature was little short of fifty thousand, of which only eighteen thousand five hundred voted for the propesed amendment, as shown by the returns made to the Secretary of State. If these returns are taken as conclusive, the amendment, has not carried, and cannot, therefore, be inserted in the constitution. But it is understood that many thousand votes were polled, of which no return has been made. Such culpable neglect or official malversation should be rightly investigated, and suitnble steps taken to prevent its recurrence. A proper enquiry may lead to the evidence that the amendment has passed.

The report of Edw. Pickett, M. D., Vaccine agent for the State, is herewith transmitted, and will bring you acquainted with the manner in which he has discharged his duties and the extent to which the agency has been made useful.

Resolutions, official letters, and other documents, embracing a great variety of subjects, are herewith transmitted, to which your attention is respectfully invited.

The President of the United States has made three several requisitions on the State for volunteers to assist in prosecuting the war with Mexico. The two first for a regiment of infantry or riflemen each, and the last for a battallion of riflemen. The first and second calls were responded to as promptly as the most ardent patriotism could have desired, but a combination of circumstances produced some delay in organizing the battallion. It has been despatched, however, to the seat of war, and is now on the way to Mexico.

The first regiment volunteered for twelve months, and having served out the time, was returned to the United States and discharged. It was the good fortune of this regiment to have participated in two of the most brilliant engagements of the war; its gallant bearing needs no eulogium from me. The storming of Monterey and the field of Buena Vista will tell how faithfully the first Mississippi rifles did their duty. The regiment numbered nearly one thousand when they entered the service; only three hundred and fifty-eight returned at the end of twelve months.

The second regiment is with the army under Gen. Taylor, and supplies the place of the first. The battallion has been ordered to join the column under Gen. Scott. Both these volunteered during the war. The battalion has but just entered the service; the regiment has served about twelve months; when last heard from they were in fine spirits and ready to render an account of themselves whenever called upon. They have been kept in camp, and have suffered greatly from disease, but are now in good health, and should the war be unfortunately protracted, their ardent desire for active service will most likely be realized.

The representatives of the people will doubtless express to the volunteers the deep sense of gratitude with which their admiring countrymen have received intelligence of their toils, their sufferings and their triumphs.

The accompanying correspondence will inform you, that at my solicitation, the arms and accoutrements borne by the first regiment in Mexico, were issued to this State as a part of her quota, and by an executive order, were allowed to remain in the hands of those who had so worthily used them in battle. The legislature may perform an acceptable service, by presenting to each discharged soldier of the first regiment his rifle and its accoutrements. It affords me great pleasure to make that recommendation.

Some embarrassment has been experienced in providing the necessary supplies for the volunteers. The government agents are not always at hand, and when present, do not furnish all that is required. Considerable sums have been expended from time to time, and the accounts have been promptly settled at Washington when sent on. U. S. officers acting in a subordinate capacity would not settle demands, unless contracted within the clearly defined limits of their legal authority. Hence the State executive had first to pay them and then look to the Secretary of War, who acts with a more comprehensive discretion, for re-payment. Ten thousand dollars should be placed at the disposal of the Governor, to meet these demands in future.

It is foreign to the purposes of this communication, to consider the cause which produced the war, or the ends to be accomplished by it; but it has given momentum and present consequence to another question, in which our State has a very direct, local and individual interest. In view of the possible acquisition of territory, by way of indemnity, the House of Representatives of the United States declared, by a large vote, that "neither slavery nor involuntary servitude shall exist in any territory hereafter to be acquired by, or annexed to the United States, except for crimes whereof the party shall have been first duly convicted." The sentiment has been taken up by many of the non-slaveholding States, and by distinguished men of both the great political parties. Virginia, in a series of resolutions, indited with perspicuity and the calmness of conscious rectitude, has assumed the *true national* position on

this question. These resolutions, together with a copy of my reply thereto, made in the absence of the legislature and addressed to the Governor of Virginia, is herewith transmitted.

Territory acquired by the joint effort of the States, must be the property of all the States, and any attempt by the free States to exclude the slave-holding States from a full participation in the ownership and occupancy of it, would be as preposterous as if the latter were to assume, through the agency of Congress to establish the institution of slavery throughout such acquired territory. The might of the free States does not carry with it the right to legislate against the slave States. Ours is not a consolidated government, ruled by the power of majorities not strictly controlled by the federal constitution, but it is a confederation of States, in which the rights of each State are reserved to itself, except in so far as for the general good, they have been delegated to the confederation. The power to legislate in regard to slavery has not been delegated, and therefore does not belong to the federal government, but remains with the States respectively. The question in the territories, it seems to me, must be left, as in the States, to be settled by the people, who inhabit them. A State, by its municipal regulations, may exclude slavery, but it is not pretended that Congress can do so. Where does the federal power derive its authority to exclude it from the territory? A man's slave is his property, so recognised by the constitution, and so declared by the highest courts of the country; and a citizen of Mississippi may settle with his slave property in the territory of the United States, with as little constitutional hindrance as a citizen from any other State may settle with any other species of property. The same power that could exclude a Mississipian with his slaves, could exclude a New-Yorker with his merchandise.

New States asking, admission into the Union, are to be introduced upon terms of equality with the original States. Congress must take care that they have a republican form of government, and that their constitutions do not conflict with that of the United States; and here the power to direct and control them ceases. No other and extraordinary conditions are to be imposed upon them. Each State, for herself, as she enters the Union, must decide whether she will take her position with the free or slave States of the Union. If an anti-slavery majority in Congress may, by the mere force of that majority, exclude slavery from a territory, and thus prepare the way for making her, in the end, a free State, why may not a pro-slavery majority force slaves upon the territory, and thus make it a slave State? And if the opponents of slavery may deny to a new State admission into the Union until she excludes slavery from her limits, why may not the friends of slavery exclude such applicant until she admit and establish the institution of slavery? The southern slaveholder has never undertaken to exclude the northern anti-slavery man from a full share in the ownership and enjoy-

ment of all the territory in the United States. He has never undertaken to control the settlement of such territory, always admitting the right of each new State to regulate her own domestic institutions, he has never sought to exclude such State because she prohibited slavery—yet, we are met with unceasing efforts to exclude slavery from the territories; to deny the slave owner the right to go with his property into such territory, and to close the doors of the Union against the admission of slave States: Need it be asserted that such attempts are violative of the constitution, and in derogation of the rights States, and of the people. It is no reply to say, that the free States are the strong party, and that a majority must rule. The voice of a majority, unsustained by the constitution is utterly powerless. Majorities may pass enactments in violation of the constitution, but they can impose no corresponding obligations on the minority to obey them.—They may attempt to exact obedience by force—the attempt, so far as it succeeds, will be tyrranny and oppression, and if persisted in, will result in revolution: For, whenever the will of a majority supercedes the restrictions of the constitution, and the rights of the States and individuals possess no other guarantee than such as are yielded to them by the strong party, our federal government will have ceased to be one of confederated States, and each member must assume its original, sovereign, and independent position. Whether we shall be forced to this extremity, depends upon the councils which shall govern at Washington. It becomes our State, menaced as she is with a serious and unauthorised restriction of her present rights, and an ultimate overthrow of her domestic institutions, to assume her position, and publicly to declare and make known the course she will feel constrained to pursue, sooner than submit to such tyranny and oppression. She should take her position with the calm dignity of determined resistance, and maintain it with all the pertinacity of one who knows her rights, and knowing dares defend them. The hope is, therefore, earnestly expressed, that the legislature will take our position into serious consideration, and after mature reflection, place the State in such attitude before the Union and the world on this subject, as that her conduct, whatever it may be, shall have the unqualified approval of every man at home and abroad, who loves the country and reveres the constitution.

No other subject of general interest presents itself to my mind as worthy of special notice.

In transmitting to the two houses of the Legislature this my last general communication, and being about to close an official connexion with the State which has existed for four years, the occasion is embraced to tender my grateful thanks to the people and their Representatives for the generous manner in which they have treated the errors of my administration. If the condition of the State has been improved and the general welfare promoted, the credit is due to the people and their officers, who have acted together

for this desirable end. Guided by the wisdom which is from on high, all interests have harmonized in bringing about an improved state of our public affairs; and it is gratifying to know that the same course hereafter, under the guidance of Divine Providence, will lead us to that high destiny which awaits our State in the no distant future.

We should never cease to remember the dependence we owe to our Father which is in Heaven, and our prayers should continually ascend, that He may vouchsafe to us wisdom in our deliberations, and a pure patriotism in the performance of every act, involving the welfare of our beloved country.

A. G. BROWN.

Executive Chamber, January 3rd, 1848.

ACCOMPANYING DOCUMENTS.

NORMAL SCHOOLS.

NATCHEZ, MI., November 24, 1847.

His Excellency A. G. Brown, Governor, &c.

SIR: In conversations which we have held upon the best means of advancing the cause of Popular Education in Mississippi, you have frequently repeated your conviction of the utility of NORMAL SCHOOLS for that purpose. As you design to bring this subject to the consideration of the Legislature, I beg leave to offer a brief compilation of the history of these Institutions, with a few reflections upon their adaptation to the peculiar and pressing educational wants of this State.

The word "*Normal*," derived from the Latin, literally signifies a "*square*," such as is used by carpenters, but as applied to schools, it signifies a *rule*, a *pattern*, a *model*. A Normal School, then, signifies "a school where the principles of teaching are taught, and where the art of teaching is exemplified in practice."

Prior to the year 1800, no general progress had been made in the world in the establishment of these Institutions. About the year 1704, the benevolent Franke succeeded in establishing a Teacher's Seminary at Halle, in Prussia. This Seminary supplied well-qualified teachers for the north of Germany. As early as 1730, lectures on *Pedagogik*, or the art of teaching, were regularly delivered in the universities of Germany. A seminary for teachers was established at Stettin, in Pomerania, in 1735; at Berlin, in 1748; in Hanover, in 1757. The Catholics and Protestants established Normal Schools at Breslau, in 1765 and 1767.

The successful Normal School of Mr. Prussin was established in Holland in 1816. The French law of Primary Instruction of 1833 provided, that there should be a Normal School in each of the eighty-six departments into which France was divided. In 1837, there were, says Mr. Guizot, then Minister of Public Instruction in France, eighty-three of these schools in full operation, "forming, in each department, a grand focus of light, scattering its rays in all directions among the people." Scotland has three

flourishing Normal Schools. A few years since, a Normal School was established by private enterprize in Battersea, England; and the church of England party has founded another at Chelsea, near London. In a recent report of the Borough Road School, London, it was remarked, that "the importance of teachers being properly trained for the work of instruction, is now generally admitted." In 1835, Lord Brougham declared in the British Parliament, that "Seminaries for training masters are an invaluable gift to mankind, and lead to the indefinite improvement of education. It is this," he added emphatically, "which, above every thing else, we ought to labor to introduce into our system. These training seminaries would not only teach the masters the branches of learning and science they are now deficient in, but would teach them what they know far less—the didactic art—the mode of imparting the knowledge which they have or may acquire; the best method of training and dealing with children, in all that regards both temper, capacity, and habits, and the means of stirring them to exertion and controlling their aberrations." In a report on education in Holland, the celebrated Cousin said: "I attach the greatest importance to Normal Primary Schools, and consider that all future success in the education of the people depends upon them. The best plans of instruction cannot be executed, except by the instrumentality of good teachers; and the State has done nothing for Popular Education, if it does not watch that those who devote themselves to teaching, be well prepared. In order to provide schools with masters, competent and conscientious, the care of their training must not be left to chance; the foundation of teachers' seminaries must be continued. I place all my hopes for the education of the people, in these seminaries." Martin Luther said of education; "In every age, even among the heathen, the necessity has been felt of having good schoolmasters in order to make anything respectable of a nation. But, surely, we are not to sit still and wait until they grow up of themselves. We can neither chop them out of wood, nor hew them out of stone. God will work no miracles to furnish that which we have no means to provide. We must, therefore, use our care and money to train up and make them." In 1838, the National Board of Education for Ireland founded a Normal School at Dublin. In 1842, the government of Belgium organized two Normal Schools—one in the

province of Antwerp, and one in the province of Brabant. The Sultan of Turkey has appointed a Minister of Public Instruction, and established a Normal School.

In this country, as long ago as 1789, a writer in the old Massachusetts Magazine proposed the creation of an Institution "in order to fit young gentlemen for college and *school-keeping*." He recommended that a Board of Trustees should annually examine young gentlemen designed for school-masters, adding: "No man ought to be suffered to superintend ever so small a school, except he has been first examined by a body of men of this character, and authorized for this purpose." In 1837, Massachusetts appointed a Board of Education. It was to this Board, composed of enlightened and philanthropic men, that this Commonwealth is indebted for the origin of her Normal Schools; and it was from an impulse given by private liberality, that her Legislature was induced to adopt those Institutions, under the title of the "*State* Normal Schools." The utility of such Institutions had been ably advocated in Massachusetts. Dr. Channing said: "We need an Institution for the formation of better teachers; and, until this step is taken, we can make no important progress. The most crying want in this Commonwealth is the want of accomplished teachers. Without good teaching, a school is but a name. An Institution for training men to train the young, would be a fountain of living waters, sending forth streams to refresh present and future ages." Hon. Horace Mann, the eloquent and learned secretary of the Massachusetts Board of Education, said: "Neither the art of printing, nor the trial by jury, nor a free press, nor free suffrage, can long exist, to any beneficial and salutary purpose, without schools for the training of teachers; for, if the character and qualifications of teachers be allowed to degenerate, the free press will become a false and licentious press, and ignorant voters will become venal voters, and through the medium and guise of republican forms, an oligarchy of profligate and flagitious men will govern the land; nay, the universal diffusion and ultimate triumph of all-glorious christianity itself must await the time when knowledge shall be diffused among men through the instrumentality of good schools. Coiled up in the Institution of Normal Schools, as in a spring, there is a vigor, whose uncoiling may wheel the spheres." In 1825, De Witt Clinton, then Governor of New York, recommend-

ed to the consideration of the Legislature "the education of competent teachers." In his message of 1826, he said: "I, therefore, recommend a seminary for the education of teachers." The system was not established in New York until 1844, for causes that will be stated hereafter in connection with another branch of the subject of this letter. In 1840, the secretary of State and Superintendent of Common Schools of Pennsylvania reported that, "The establishment of Normal Schools is an object worthy the attention of the Legislature, as a valuable means of laying the sure foundation for supplying all our primary schools wth an adequate number of teachers-"

From this skeleton of the history of Normal Schools, it will be observed that despotisms, monarchies, and republics, Mohammedanism and christianity, statesmen, philosophers, divines, patriots, and philanthropists have harmoniously united in commendation of the system. It would, therefore, manifestly be unnecessary to seek to array arguments to establish the utility of institutions which all governments, religions, and classes of minds seem to have approved. But, in respect to our own State, and the southern States in general, there exist additional reasons, and which are not found elsewhere, why our youth should receive instruction from those educated for the purpose among ourselves, rather than from teachers educated at the North. With rare exceptions, which deserve honorable mention, there is a too general want of congeniality of feeling and sentiment between such teachers and their pupils, arising from the marked difference of climate, institutions, manners, and customs which prevail in the extremes of the Union. I regret to say, that it has fallen within my own observation during the past summer, while engaged in selecting teachers for the public schools of Natchez, to discover among some of the instructors of the Northern Normal Schools an inclination to the doctrines of abolitionism, which, if indulged in, we may presume they are not slow to impart to their pupils. And, although we might safely confide that a residence in a slave State for a season would remove such prejudices, we are certainly not called upon to hazard that risk. Besides, if this objection were out of the way, I have been informed by the Hon. Horace Mann, that the demand for teachers at the North is fully equal to the annual supply from the Normal Schools; and, as the first obligation of the graduates

of those schools is to their own States, no sufficiency for our wants can be expected from those sources.

It was before observed, that in New York the institution of Normal Schools was delayed from 1826 to 1844. This unfortunate postponement arose from an erroneous plan of depending on colleges and academies for teachers. I relate the historical circumstances from having heard it suggested that our Legislature might possibly resolve to connect a Normal School with the University being established at Oxford. Such a Normal School as is wanted in this State should contain a majority of *female* pupils, which is incompatible with the plan of the University. And the kind of education bestowed generally in colleges does not produce that character of mind most useful for teachers. Great learning, without skill in teaching, will not make a good professor; while moderate attainments, with great skill as a teacher, will render one exceedingly useful. The most original and successful teacher of modern times, Pestalozzi, was not distinguished for learning or ability, except as a teacher. But the events in New York show the fallacy of relying upon colleges for teachers, even with great State patronage.

When, in 1826, Gov. Clinton recommended "a seminary for the education of teachers," Mr. John C. Spencer, then chairman of the Literature committee in the Senate, in his report, said: "Our great reliance for nurseries of teachers must be placed in our colleges and academies." In pursuit of this idea, the next year a bill was reported appropriating the income of $150,000, to be divided among the academies. In 1830, the amount distributed to the academies was $10,000, and the sum of $169,716 had already been expended upon them. This continued for four years, and with very little success. In 1835, the scheme was changed, and the sum of $12,000 was directed to be divided among eight academies, instead of fifty-five as before. In 1838, Gov. Marcy, referring to the fact that colleges and academies had been relied upon to supply qualified teachers, said: "But it has been quite evident, for some time, that further provision ought to be made by legislative authority to satisfy the public wants in this respect." Therefore, the sum of $28,000 was directed to be divided among sixteen academies, for the purpose. In 1840, Mr. Spencer appointed commissioners to examine these beneficiary academies, and

enquire into the working of the plan. In 1841, a report was returned, acknowledging that the adademies had done some good, but pointing out the intrinsic defects of the system, and closing by recommending a Normal School. Mr. Spencer, however, persisted in his plan, and enlisted eight more academies in the work; but, two years after, the inherent defects of the system prevailed; and the Hon. Samuel Young, the celebrated advocate of schools, reported that the whole scheme of teachers' departments in colleges and academies had "*practically failed.*" The next year, New York hastened to appropriate $10,000 a year, for five years, for the support of a Normal School, which has ever since prospered with triumphant success.

Upon the fatality that attended this ill-advised scheme in New York, the Common School Journal, a periodical edited by the Hon. Horace Mann, and a work to which I am indebted for many of the foregoing facts, holds the following language: "This attempt, so early undertaken and so long persevered in, to supply the want of Normal Schools, by opening teachers' departments in academies, was the most unfortunate step ever taken in New York, on the subject of education. It cost hundreds of thousands of dollars, and lost twenty years of time, after the necessity of more efficient means had become a conviction in the minds of all intelligent men. The progress of more than one entire generation of school children was sacrificed to this disastrous experiment. Precisely the same error, and defended as long as practicable, on the same grounds, had been committed in some parts of Prussia, during the last century. Had the projectors and advocates of this plan, in New York, been acquainted with the history and result of the same experiment in Germany, and had they been willing to receive wisdom gratuitously from the experience of others, instead of purchasing it at the price of a great misfortune to the State and discredit to themselves, they would have saved this vast expenditure of money, and this inappreciable loss of time. Yet, not wholly unfortunate or useless will the experiment prove, if it shall be the means of deterring other States from a similar course. What was a mistake in New York, would now be folly in any other State that shall follow her example."

Normal Schools, as usually established, require that candidates for admission should have attained to the age of seventeen years,

if males, and sixteen, if females. The course of study includes a period of three years, but is so arranged as to be completed in two years, or in one, as the candidates are found to possess more or less proficiency upon entering the school. As pre-requisites for admission, candidates must declare their intention to qualify themselves to become school-teachers: they must be examined and found versed in orthography, reading, writing, English grammar, geography, and arithmetic: they must be free from all infirmities which would unfit them for the office of teachers, and be possessed of good intellectual capacity, and of moral character and principles. The object of the schools is two fold: first, the acquisition of a more thorough and systematic acquaintance with the branches usually taught in common schools, and a sufficient attainment in other parts of knowledge useful to the skillful teacher; and, secondly, the art of imparting instruction to the youthful mind, which will be taught in its principles and illustrated by practice, by means of a MODEL SCHOOL. The whole course might be as follows: orthography, reading, grammar, writing, drawing, composition, rhetoric, logic, arithmetic, elementary algebra and geometry, surveying, geography ancient and modern, chronology, statistics, general history, physiology, mental philosophy, music, natural philosophy, natural history, chemistry as applied to agriculture, astronomy, constitution of Mississippi and of the United States, the principles of christian ethics, piety and morality common to all sects of christians, and *the science and art of teaching*, as applicable to all the foregoing studies. The result of such an education must be to produce teachers able to teach the common branches as well as they can be taught; to impart, while doing this, valuable information; to bring the various powers of the mind into action; and to give energy and elevation to the character, so that its whole influence shall be constantly good and useful.

The wants of Mississippi for teachers are pressing; and one great reason why schools multiply among us so slowly is from the difficulty of procuring competent teachers. In 1840, the population of the State of over five and under twenty years of age was 67,459, and of this number but 11,243 were being educated at colleges, academies, or common schools. Therefore, it follows, that 56,216 children were then either educated by private instruction at home at enormous expense, *or not educated at all*, comprising five-sixths

of the rising generation. At this day, admitting that the means of instruction have been increased one hundred por cent., there must be more than 100,000 children imperfectly, if at all, educated. In 1840, the number of free white persons over twenty years of age in this State was 73,838. Of this number 8,360, or about one in every nine persons, *could neither read nor write.* The population of over twenty years of age had in 1840 increased over that of 1830 one hundred and fifty per cent., and if the same ratio has since been maintained, together with that of those who can neither read nor write, there must now be in the State about 17,000 persons over twenty years of age, who can neither read nor write, and the census of 1850 will show that number to have swelled to 25,601.

A Normal School, which shall be capable of receiving at least one hundred and twenty pupils can be conducted successfully in this State at the annual expense of $3500. Competent instructors cannot be procured at less salaries than $1500 per annum for a principal teacher, and $1000 per annum for an assistant teacher. The sum of $1000 would then remain for rent of school buildings, servant hire, repair of fixtures, and current and incidental charges and expenses. The sum of $500 would be required at the commencement, as an outfit to provide school fixtures and indispensable apparatus.

The great probability is, that in the course of time not very far distant, the wants of this State will imperatively demand certainly two and perhaps three Normal Schools, such as have just been described. There is an awakening and a revival among us upon the subject of Popular Instruction that is growing in zeal and determination every day. Revolutions for good, indeed, never go backward; and, as has been well said, when the wheels of education commence rolling on, those who will not go with them, must go under them.

Should the legislative authority, at its approaching session, determine to establish a Normal School, say, but as an experiment for *five* years, which is the least period of time that it can safely be limited to in view of a fair and full trial, the necessity will be imposed upon it of selecting the location. If, as has been said, and as is truly believed by many who have reflected profoundly upon the subject, there will ultimately be established *three* such schools,

the natural geographical positions would be at some northern, some middle, and some southern point in the State. In establishing but *one*, at the outset, I would therefore respectfully suggest it should be so located as to admit of a subsequent increase without interfering with that already established. And other things being equal, or only nearly so, I should deem it desirable to select that place, in the first instance, where the most liberal co-operation might be tendered on the part of the citizens, and where a warm, vigilant and intelligent local sympathy wou d lend an enhanced interest to the encouragement and prosperity of the school. There can be no danger that the cause of education will languish when entrusted to those animated with such spirit and resolution.

On the 4th of July, 1845, the citizens of Natchez established the system of public schools for all the free white children over five years of age, within the limits of the city. These schools are conducted by a board of seven visitors, a principal and thirteen teachers, including a teacher of writing. The course of education embraces, besides the common branches, those of a higher order required for admission into the first Universities of the Union. Since the commencement of the school, there have been admitted 829 pupils, male and female, and 75 have been discharged to seek admission into colleges and counting-houses, and to pursue trades and other avocations in life. The result of this experiment has been to fasten the system upon the affections of the people, and to induce them to engraft into the charter of their corporation a provision requiring the annual levy, by taxation, of a sum not greater than $10,000 for the support of this system of education. It is not hazarding too much to assert that these schools will compare favorably with any other public schools, or any academies, of a like grade, in the United States. Here, then, can be found "*a model school*," of precisely the character which is indispensable for practical instruction in the art of teaching, and without the aid of which, a Normal School is robbed of half its utility and chance of success. As may be supposed, there is now in this city an extensive and fast-increasing interest on the subject of education. There are also here men of education, patriotism and philanthropy, who would cheerfully and gratuitously discharge the supervisory duties and labors necessary in a Normal School, convinced of the sympathy and assistance of the public. The spot is unobjectionable upon

the score of healthiness, for during the past two years and a half, there have been but three deaths from disease among the whole number of the pupils of the school; and for the last seven years, the general health of the place has had no parallel anywhere.—There are likewise here Christian churches of all the leading denominations—Baptist, Presbyterian, Methodist, Episcopalian and Catholic. There are facilities for procuring appropriate buildings for a Normal School; and the necessaries of life for pupils can be had as cheaply and as good as at any other point in the State.

In presenting the city of Natchez, as a point highly eligible and advisable for the location of what I think must ultimately become the Southern State Normal School, I feel myself actuated by the single sentiment of a sincere conviction that at present no other spot combines so many advantages and opportunities for its successful organization, trial and experiment; and, I am satisfied that every friend of education would allow no other considerations to influence him in forming a conclusion upon a subject so momentous, as the best means of happily undertaking and successfully conducting an establishment freighted with such blessings to his country and his race.

There are many matters of detail which I have been compelled to omit, and I am nevertheless fearful that I have already trespassed too much upon your time. I trust the importance of the subject and an earnest desire to lend some small aid to so benevolent a cause, will be received as apologies for the length of the letter.

I have the honor to remain, very respectfully,

Your friend and fellow-citizen,

J. S. B. THACHER.

Report of the Principal of the Mississippi Institution for the Education of the Blind, to his Excellency Gov. A. G. Brown.

Dear Sir: In obedience to the suggestion with which you were not long since pleased to honor me, I beg leave to lay before you a summary account of my proceedings in this State, relative to the education of the blind, together with an account of the manner in which Northern Institutions for the blind have been established by the Legislatures of the States where they exist; after which,

I shall present for your consideration some remarks relative to a plan for the establishment of an Institution for the education of the blind in this State.

During the early part of the last session of the Legislature, I visited the city of Jackson with one of my pupils, (an educated blind young lady,) who was examined in the Legislative Hall; the object of which was to interest the Legislature in this benevolent enterprise. But owing to the little attention which the public had previously given to the subject, it was thought best, by those favorable to the establishment of an institution, that a small school be formed of blind persons, (citizens of this State) who might be supported, it was thought, by private contributions, until the ensuing session of the Legislature, at which time the members might have a fair test of the practicability of educating this class of persons. Accordingly, a school was commenced in March last, under my directions, but wishing to visit various parts of the State in quest of accurate information relative to the condition of the blind, generally, I obtained the services of Mr. P. Lane, who is a graduate of the New York Institution for the Blind, and who has instructed the pupils during the year with great credit to himself and advantage to the establishment. The pupils received into the institution were entirely uninformed relative to the principles of education, at its commencement. But the case is very different now; for within the five months in which they have been instructed, they have not only learned to read in the Bible with some accuracy, but have acquired considerable knowledge of grammar, geography, and arithmetic. My time, since the commencement of the institution, has been principally employed in visiting the blind in different parts of the State, soliciting funds for the support of the establishment, and obtaining signatures to petitions praying the Legislature to provide for the education of the blind, at its next session. There are, according to the census, one hundred and thirteen blind persons in this State—the majority of whom are not only destitute of education, but also of the means of obtaining it. Let me remark here, that whatever I state, relative to the pecuniary disabilities of the blind, is corroborated by the reports of the directors of institutions for the blind, which have been established in the United States. All agree that a very great majority of this class, is in indigent circumstances. For my own part, I feel safe in stating

that at least four-fifths of those who compose this class of persons, are without the means of providing for an education. But what makes their condition still more deplorable is, that there is little or no effort made by the parents and friends of the blind, to improve their intellectual and moral condition by oral instruction, which might be made of incalculable benefit to the blind, and give very little trouble to those having charge of them. The fact is, it is too frequently the case, that those most intimately connected with the blind, are apt to under-value their capacities; it is therefore thought unnecessary to use means for their improvement. Hence, what are the effects of this neglect? While their minds formed for effort and research, are chained down to a circumscribed sphere of action, the disposition must necessarily be petulent, gloomy and disagreeable. It has been my lot, during the last few years, to visit many touching scenes of misery and degradation, but among them all, I know of none better calculated to excite deep sympathy in the human heart, than the condition of the uneducated blind, which unameliorated, must ever be hopeless. But it gives me great pleasure to state that a lively interest has been manifested by the public generally, for the welfare of those unfortunate beings; for they have not only willingly contributed to the support of the existing establishment, but have testified by the numerous petitions which they have filled with their signatures, their willingness to sanction the adoption of means providing for the education of the whole of the blind of this State.

In regard to the history of the establishment of institutions of this kind by State Legislatures, I would remark, that two plans appear to have been adopted in the New England, New York, and Pennsylvania institutions for the education of the blind. Societies, the members of which subscribed certain amounts annually, were made corporate bodies by their respective Legislatures, having power to receive the funds appropriated by the State, to be applied to the education of the blind of the respective States, as they might think best. Those societies, consisting of from two to five hundred members each, meet once a year, and select from among them a stated number of persons, who are denominated managers. These select suitable persons as teachers of the institution. It is to be remarked here, however, that the society of the New England Institution has only joint authority with the Principal of the establishment.—

Notwithstanding some advantages that may exist in having the influence of large societies in favor of charities of this kind, it has yet been found that the arrangement is highly exceptionable. This has been especially so in the New York school, where there has been a continual change of principal and teachers during the last several years, and where little advancement has been made by the pupils. The second plan is more rational, and has been adopted by the Legislatures of the more Southern and Western States.—The amounts appropriated by the States, are payable to a stated number of trustees residing where the various institutions are established, and who are appointed either by their own body or the Governor. These trustees are authorized to select suitable persons to conduct the institutions, and to fix their salaries; but in one or two instances, the salaries of the officers of institutions are fixed by the Legislature.

It is my opinion that an institution might be established with entire safety to the State, by the Legislature appropriating a certain sum annually, to be applied to the objects of the institution, and by making it the duty of the Governor to appoint three trustees, who might draw the funds quarterly, whose duty it should be also to elect suitable persons to carry out the objects of the institution, and to fix their salaries. By this arrangement, the institution would always be open for inspection, and a fair representation of its condition could be had, whenever called for by the public; and not only so, if the trustees were judiciously appointed, each belonging to a different denomination of Christians—sectarianism, which is incompatible with an institution of this kind, would be avoided, and thus this noble charity would accomplish its legitimate end, namely, that of making wiser and happier its beneficiaries. It is not expected that a school for the blind in this State, will ever be large like the more Northern schools, for in those States the population being more dense, the blind are far more numerous. A small appropriation, therefore, say three thousand dollars annually, would be sufficient to carry out all the desirable objects of an enterprise like this, at least for some time to come.

I will say, in conclusion, that should what I have presented, be found at all useful to those who are interested in this laudable

work of benevolence, I shall consider the labor bestowed in presenting the facts more than remunerated.

I am, my dear sir, with great respect, your obedient servant,

JAMES CHAMPLIN.

His Excellency A. G. Brown. *Sharon, Miss.*

The Virginia Resolutions, as passed by the House of Delegates.

Whereas, A bill appropriating money to prosecute war, or to negotiate peace with the Republic of Mexico, has passed the House of Representatives of the Congress of the United States with the following proviso attached thereto:

"*Resolved*, That as an express and fundamental condition to the acquisition of any territory from the Republic of Mexico by the United States, by virtue of any treaty which may be negotiated between them, and the use by the Executive of the moneys herein appropriated, neither slavery nor involuntary servitude shall ever exist in any part of said territory, except for crime whereof the party shall be first duly convicted."

And this General Assembly deeming it to be destructive of the compromises of the Constitution of the United States, and an attack on the dearest rights of the South, as well as a dangerous and alarming usurpation by the Federal Government—therefore,

Be it resolved unanimously by the General Assembly of Virginia, That the Government of the United States has no control, directly or indirectly, mediately or immediately, over the institution of slavery, and that, in taking any such control, it transcends the limits of its legitimate functions, by destroying the internal organization of the sovereignties that created it.

2. *Resolved unanimously*, That under no circumstances will this body recognize as binding, any enactment of the Federal Government, which has for its object the prohibition of slavery in any territory to be acquired, either by conquest or treaty, holding it to be the natural and indefeasible right of each and every citizen of each and every State of the Confederacy, to reside with his property, of whatever description, in any territory which may be acquired by the arms of the United States, or yielded by treaty with any foreign power.

3. *Resolved unanimously*, That this General Assembly holds it to be the duty of every man, in every section of this Confederacy, if the Union is dear to him, to oppose the passage of any law, for whatever purpose, by which territory to be acquired may be subject to such restriction.

4. *Resolved unanimously*, That the passage of the above mentioned *proviso*, makes it the duty of every slaveholding State, and all the citizens thereof, as they value their dearest privileges, their sovereignty, their independence, their right of property, to take firm, united and concerted action in this emergency.

OXFORD, MISS., Dec. 23d, 1847.

To His Excellency, A. G. Brown, Governor, &c.

Upon the request of the President of the Board of Trustees of the State University, the executive committee beg leave to report to your Excellency the condition of the buildings now in progress. For a description of the buidings &c. we refer you to the enclosed printed extract.

The principal edifice mentioned therein is almost finished. The capitals for the pillars are yet to be made and put up; they are under contract at Cincinnati, or have been written for. Two coats of plastering and a portion of the painting will have to be done early in the spring. Ten days work besides this will complete the building.

One of the dormitories described is almost completed excexpt the plastering and painting. Two Professors' houses and kitchens are ready for the roof, and will be finished early in the spring.—One other dormitory is in the third story of the brick work; ten days or two weeks good weather would enable them to finish the wall. The carpenter's work is forward, and we expect to have it covered in this winter, and we expect to have it completed by the 1st of May. The Steward's Hall will be to plaster and paint after winter is past. The remaining building for the Faculty is not commenced, but will be commenced as soon as spring opens, as the contractors are ready. This contract has not been closed until recently.

It is the opinion of the Architect, that the main building, one dormitory building, the Steward's Hall, and two professors' houses

will be completed by the 1st of May, and the other two buildings by the 1st of July next, We think this opinion extends the time further than is necessary, but concur with him, that they will be complete by the times mentioned by him.

This communication is delayed beyond the time required, but the absence of the committee and other causes, have prevented us from making it earlier, and it is now made in much haste, but is deemed substantially correct.

Respectfully submitted,

JAMES M. HOWRY,

Chr'n. Ex. Committee.

"The University Buildings consist of a principal edifice to be devoted entirely to Academic pursuits. The plan is a parallelogram 90 feet by 55, and is technically termed *Prostyle*, having a heastyle portico on the entrance front. The proportions of the columns and entabliture of the portico are taken from the Grecian Ionic Temple on the Illyssus near Athens.

In the divisions of the first floor there are two r ecitation rooms and a labratory with a spacious hall for apparatus and lectures, illustrative of Chemistry, Electricity, Geology, &c. &c., and for methodizing the science of Agriculture—that key-stone of the fabric of the prosperity and happiness of the people of Mississippi. On the second floor is a lecture room 52 feet by 24 feet, and two recitation rooms each 36 by 26 feet.

On the third story, a Library and Museum and two ample Society rooms.

The two Dormitories are each 120 feet by 32 feet three stories high—they are divided into 72 rooms, 15 feet by 15 feet—well lighted and ventilated and fire place in each.

The four dwelling houses for the Faculty will each be provided with six commodious family rooms, kitchen, out-houses and a garden.

The Hotel or Stewards Hall, is provided with a large dining room, store room and larder, on the lower floor, and comfortable family rooms for the keeper on the second story. The kitchen is fitted with every convenience for culinary purposes—chambers for servants, and the garden can be of any desirable extent—and to invite some genteel family to seek the management of this estab-

lishment every effort has been made to render it roomy, convenient and respectable.

The disposition of the several buildings is on the out side of a simi-circular avenue 200 yards in diameter, rising with a gentle ascent from the ends to the centre or summit where the principal edifice with its commanding portico is raised. At each end of the semi-circle is a block of dwelling houses for the Faculty with their appendages, and midway between these and the principal building are set the Dormitories—leaving a space of 150 feet between the buildings. The area formed by the avenue, when fenced, will present a space for Botanic experiments, &c."

TREASURER'S REPORT.

To the Honorable the Legislature of the State of Mississippi, January session, 1848.

I have the honor herewith of reporting to you the receipts and disbursements at the State Treasury, commencing on the first day of January, 1846, (the period at which the examination of my accounts by the last legislative committee of accounts closed, as per their report,) and terminating on the 22d November, 1847, the end of my official term, when I surrendered the Treasury office to my successor Richard Griffith, the specifications of which will be found in the following documents also herewith transmitted:

Document marked A, shews the amount received into and paid out of the Treasury monthly, beginning with January and ending with December, 1846, both months inclusive, by which it will be seen that at the latter period there was in the Treasury, in gold and silver, of State funds, the sum of $2,504 99¾: and document marked B, shews the sources from whence the revenue was derived, and the respective sums from each; and also the amount paid out on Auditor's Warrants on each department, for the fiscal year commencing the 1st March, 1846, and ending the 30th April, 1847, both days inclusive.

Document marked B, presents the receipts and disbursements at the Treasury for each month, commencing on the 1st January, and ending on the 22d November, 1847, the day on which my duties as Treasurer of the State terminated, by which it will be seen that there was of State funds in the Treasury at the latter

period, in gold and silver, $120,353 53, which sum I paid to my successor Richard Griffith, on that day, which will appear by reference to his receipt dated the 22d November, 1847, for that sum, which will be exhibited when required.

Document marked C, exhibits the sums received into the Treasury, from the different sources from which revenue is derived by the State; at the same time it shews the amount disbursed on account of Auditor's Warrants drawn upon the different departments, from the 1st May, (the commencement of the fiscal year, under the act of 1846,) to the 22d November, 1847, the end of my official term, all of which will more satisfactorily appear by an examination and comparison of my books and vouchers by your committee; all of which await their inspection and examination, at such time as may suit their convenience—which examination I trust will be the most *thorough* and *minute*, into all of my official acts, that can be instituted.

On document marked D, you will find an account stated between the State and the 2 and 3 per cent. fund jointly, and that the balance due from me to those two funds was, on the 22d November last, $213,020 77, which was also paid by me to Richard Griffith, State Treasurer, as per his receipt dated the 22d November, 1847, which receipt will also be submitted to your inspection.

Document marked E, presents the balances due the different funds to which the State sustains the attitude of trustee; also the amount of R. S. Graves' defalcation to the two and three per cent. funds.

It will be perceived by adding the balances due to the two and three per cent. funds, that they fall a little short of the sum that I paid to R. Griffith as belonging to them, the reason of which is, that the Sheriff of Yazoo, in settling for the State tax of his county, paid in a small warrant on the two per cent. fund, which on my ledger stands to the debit of the fund, and lessens the balance due by that amount.

I have presented no statement of the outstanding Auditor's Warrants and funded scrip, believing that it would be desirable to you to have information upon that subject to the 1st January, 1848, and that this information would be furnisned by the present incumbent.

The amount outstanding cannot be large, because I have been

paying at the Treasury all warrants presented, since January 1846, until I settled with my successor, excepting a few days in January and February last: I have concluded, therefore, that any person having warrants and desiring the cash, would have presented them for payment.

When we take into consideration the fact that only four years since, there were warrants outstanding against the State, amounting to more than six hundred thousand dollars; that then they were fifty per cent. below par, and had for a long time, and still continued to constitute an article of traffic and speculation, in the State and out of it, it is but reasonable to suppose that considerable sums have been worn out, lost, or destroyed by fire and other casualties, to which a paper circulation is always subject; hence I have concluded that but little more, if any, is now outstanding (except a small amount of funded script,) than will be at any subsequent period, so long as they remain redeemable upon presentation at the Treasury. Persons having State Warrants, and no immediate use for the money, and knowing that they can draw it from the Treasury when they may desire to do so, will for convenience of keeping and transportation, prefer the Warrants to the specie.

I take great pleasure in communicating the fact to you, that the State has not lost one cent at this office since I have been the Treasurer of the State, either by forgeries or otherwise; and in my account with the State, I stand charged with, and have accounted for the full amount of the receipt Warrants presented at this office, from the time that I assumed its duties under the Executive appointment by ex-Governor Tucker in March, 1843, to the time that I surrendered it to my successor, on the 22d of November, 1847.

It is true that in counting and receiving specie, I have sometimes inadvertently received counterfeit coin, yet the loss has fallen upon myself and not upon the State.

In closing this, my last communication, to the representatives of my late constituents, I trust that I may be permitted to say, without the charge of egotism, that I have, from the first day that I entered upon my official duties as State Treasurer, to that on which I left the department, watched the interest of the State with sleepless vigilance; nor have I, as Treasurer of the State, done a *favor* for, or withheld justice from any man; and if, in the discharge of the

various duties devolving upon me in my fiduciary character, I have erred to the injury of the State, or any citizen thereof, I stand prepared at any moment to redress the wrong and atone for the injury.

I have the honor to be, very respectfully, your ob't serv't,

W. CLARK,

Late Treasurer of the State of Mississippi.

JACKSON, January 4th, 1848.

[EXHIBIT A.]

AN ACCOUNT Showing the Receipts and Disbursements in the State Treasury, from the 1st January to the 23d of Nov., 1847.

			DR.	
This amount received in the Treasury in the month of	January,	1847.	3,286	20⅔
	February,	"	151,509	68
	March,	"	56,149	94½
	April,	"	105,573	71½
	May,	"	115,622	03
	June,	"	39,289	35
	July,	"	460	00
	August,	"	1,668	41
	September	"	2,947	78½
	October,	"	2,056	92
	November	"	9,668	37
			$488,232	41⅓
To balance of the 2 and 3 per cent fund received from Mrs. Graves, remaining in the Treasury on the 31st December, 1846, - - -			81,550	00
" Interest from G. Fearn, treasurer of B. R. R. Co. upon the U. S. Treasury notes paid him,			1,380	00
" Interest from D. O. Williams, upon the U. States Treasury notes paid him, - - -			27	00
" Interest from A. Virden, upon do. to him.			6	00
" " " Doct. Montgomery, - - -			6	00
" Cash in the Treasury when I came into office, see Journal A, page 34, - - -			6	50
" Cash in the Treasury 31st Dec., 1846, see Journal B, page 185,			2,504	99¾
			$573,712	91½

[EXHIBIT A,] Continued.

AN ACCOUNT Showing the Receipts and Disbursements in the State Treasury, from the 1st January, to the 23d Nov., 1847.

Cr.

By this amount disbursed from the Treasury in January, 1847,		5,760	99⅔
	February, "	13,019	32
	March, "	44,032	53¾
	April, "	42,947	44⅓
	May, "	65,465	44
	June, "	14,103	77
	July, "	9,656	20
	August, "	8,028	03⅔
	September, "	7,734	77½
	October, "	4,022	67
	November, "	25,567	43
		$240,338	61½
" Paid to Richard Griffith, Treasurer of 2 and 3 per cent. fund, pre receipt,		213,020	77
" Paid Gold and Silver belonging to the State Funds, per receipt,		120,353	53
		$573,712	91½

[EXHIBIT A,] Continued.

The State of Mississippi, in account with the 2 and 3 per Cent Fund.

		Dr.	
To this sum received of Mrs. Graves, in U. States Treasury Notes belonging to this fund, -		92,600	00
" 6 per cent. interest on $23,450, the amount of the above notes paid out by virtue of an act of the last Legislature, - - - - -		1,407	00
		$ 94,007	00
" This sum received from Gov. Brown, of the 2 per cent. fund, - - - - - -		143,831	77
		237,838	77
" 6 per cent. interest on the $450 paid out to D. O. Williams, - -	$ 27 00		
" Interest on a hundred dollar note exchanged with A. Virden for Am. Gold,	6 00		
" Do. do. with Dr. Montgomery,	6 00	39	00
		$ 237,877	77

N. B. At the session of the Legislature in 1846, Journal B, page 59, I accounted for the foreign Gold received from Mrs. Graves as per Journal A, page 34, amounting to $2,747 68.

	Cr.	
By this sum paid to G. Fearn, Treasurer of the B. R. R. Co., as per my books 1846–7, -	23,000	00
By this sum paid to D. O. Williams, - -	450	06
" 6 per cent. interest on $23,450, the amount of notes used in 1846–7, in the above payments,	1,407	00
	$ 24,857	00
" This sum paid to R. Griffith Treasurer, as per receipt, - - - - - -	213,020	77
	$ 237,877	77

W. CLARK
Ex-Treasurer of Mississippi.

Jackson, 4th January, 1848.

STATEMENT Showing the indebtedness of the State of Mississippi to the following funds on the 22d November, 1847.

To the Seminary Fund,			97,065	40
" Litterary "			1,444	30½
" 2 per cent. "			201,059	48
" 3 " " "			11,846	23
" Sinking Fund,	$110,403 71⅓			
If you deduct the Planters' Bank Bonds, p'd,	$15,000			
Also the Coupons of interest upon the same,	3,167 10	—18,167 10	92,236	61⅓
			$403,651	98⅔
Deduct the am't of the 2 and 3 per cent. fund now in the Treasury,		$213,020 77		
Deduct also the am't of State funds in the Treasury,		120,353 53	$333,374	30
			$70,277	68⅔

The States liabilities to the above funds exceeds the cash in the Treasury, by the sum of seventy thousand two hundred and seventy-seven dollars and sixty-eight and one-third cents.

The amount of R. S. Graves' defalcation to the 2 and 3 per cent. funds is $69,652 32.

[EXHIBIT B.]

AN ACCOUNT showing the Receipts and Disbursements into Treasury, from the 1st March 1846, to the 30th April, 1847.

Dr.

1846.				
March 2d, To the State tax from 1st March, 1846, to the 30th of April, 1847, -	286	343,775	71
To retail license, - - - -	292	4,071	68
" Hawkers and pedlars, - -	299	884	98
" Sinking Fund, - - -	404	13,059	59
" Public Printing, - - -	323	66	00
" Repairing Fund, - - -	406	5	50
" Billiard table, - - -	418	340	00
" Seminary Fund, - - -	425	7,997	57
" Planters' Bank Bonds, - -	450	1,004	00
" Town Lot Fund, - - -	409	979	00
" Two per cent Fund, - -	447	143,831	77
		$516,015	80¾

[EXHIBIT B.] Continued.

AN ACCOUNT, showing the Receipts and Disbursements in the Treasury, from the 1st March, 1846, to the 30th April, 1847.

Cr.

By the funded debt department, - -	301	63,201	59½
" Printers' fees, - - -	305	70	00
" Classifying lands, - - -	307	250	00
" Revolutionary soldiers, - -	310	4,197	96
" Appropriations, - - -	313	25,661	95½
" Public printing department, -	323	8,486	28
" Locating State Lands, - -	328	50	00
" Commissions for assessing, -	333	11,875	70
" Election department, - -	336	194	00
" Interest on funded debt, - -	338	4,774	47⅓
" Executive dapartment, - -	343	10,067	44
" Legislative department, - -	348	11,808	59
" Judiciary department, - -	364	99,469	27½
" Census department, - -	375	1,662	45
" Militia department, - -	380	2,366	27⅔
" State library department, - -	385	3,151	70
" Contingent fund, - - -	389	5,381	86
" Expcnditures of the Penitentiary, -	393	22,947	00
" Officers of public buildings, -	397	270	00
" Public buildings, - - -	398	50	00
" Town lot department, - -	400	20	00
" Repairing fund, - - -	406	6	75
" Governor's house, - - -	409	280	00
" Andtior's contingent fund, - -	411	1,720	73
" Acknowledgment of State deeds, -	412	83	00
" Distributing the laws and journals,	414	314	99
" Recording State deeds, - -	416	698	07
" Seminary fund, - - -	425	15,250	00
" Penitentiary department, - -	428	101	00
" Miscellaneous department, - -	430	20,000	00
" State Capitol department. - -	431	786	00
" Escheats department, - -	433	65	04
" Common schools, - - -	445	500	00
" Two per cent fund, - -	447	19,530	00
" Appropriations to fence in the Capitol,	449	3,085	24
" Planter's Bank Bonds, - -	451	7,010	61
" Executed slaves, - - -	453	1,293	75
" Vaccine agency, - - -	455	400	00
		$347,081	73¼

W. CLARK.

JACKSON, January 4th, 1848. *Ex-Treasurer of Miss.*

[EXHIBIT C.]

AN ACCOUNT Showing the Receipts and Disbursements in the Treasury of the State of Mississippi, from the 1st of January to 31st December, 1846.

			Dr.	
Received into the Treasury in	January,	1846.	72,208	87
	February,	"	112,602	82½
	March,	"	129,737	78
	April,	"	29,691	13
	May,	"	18,596	56⅔
	June,	"	6,590	96¾
	July,	"	3,867	48
	August,	"	5,833	52
	September	"		
	October,	"	510	10½
	November	"	3,857	63½
	December	"	811	08
			$381,307	95⅔

This amount, the balance in the Treasury, 1st January, 1847, ... $2,504 99¾

[EXHIBIT C,] Continued.

				Cr.	
Disbursed in the year 1846,	January,			72,229	93
	February,			79,134	97¾
	March,			68,969	18
	April,			30,499	06½
	May,			15,413	17¾
	June,			33,440	48¾
	July,			12,806	11
	August,			16,937	95½
	September,			10,861	16
	October,			17,584	54
	November,			24,697	94
	December,			10,111	84½
				$ 392,686	36½
This amount due the Treasurer 1st January, 1846, see Journal, page 59, - - - - -				166	60
				$ 392,852	96½
1846.					
June 24, This am't paid G. Fearn, Treasurer, upon the requisition of Gov. A. G. Brown, of the 2 per cent. fund, - -		2,120	00		
" 30, This am't paid D. O. Williams, upon the requisition of Gov. A. G. Brown, - -		450	00		
July 15, This am't paid G. Fearn, Treasurer of B. R. R. Co., upon the requisition of Gov. A. G. Brown, - - -		3,180	00		
Nov. 4, This am't paid G. Fearn, Treasurer, &c., - -		5,300	00	11,050	00
				$ 381,802	96½
Of the above payments made to Fearn & Williams, the sum of $10,450, of which was in U. S. Treasury notes, and $600 was the interest on all of it except the $450 paid to D. O. Williams, which is carried to the account of 1847,					
This amount, a balance in the Treasury on the 1st January, 1847, - - - - - -				2,504	99¾
				$ 384,307	95¾

W. CLARK,
Ex-Treasurer of Mississippi.

Jackson, 4th January, 1848.

[EXHIBIT D.]

AN ACCOUNT, Showing the Receipts and Disbursements in the Treasury, from the 1st of May, 1847, to the 23d Nov. 1847.

Dr.

1847.				
May.	To the State tax up to the 23d Nov. 1847.	290	157,928	39½
"	Retail licenses, - - -	292	925	61
"	Town lots, - - - -	400	1,204	00
"	Sinking fund, - - - -	404	12,850	58
"	Seminary fund, - - -	425	804	28
			$173,712	86½

[EXHIBIT D.] Continued.

AN ACCOUNT, showing the Receipts and Disbursements in the Treasury, from 1st of May, 1847, to the 23d of Nov. 1847.

			Cr.	
By the funded debt,	303	24,264	12½
" Classifying lands,	307	27	00
" Revolutionary soldiers,	316	1,113	94
" Appropriations,	314	2,641	13
" Public printing,	323	1,520	15
" Commissions for assessing,	333	7,587	22
" Interest on funded debt,	339	641	24
" Executive department,	343	4,858	23
" Legislative department,	348	16	00
" Judiciary department,	366	51,577	92½
" Census department,	375	42	48
" Militia department,	380	767	00
" State library,	385	975	04
" Contingent fund,	389	1,112	74
" Expenses of the penitentiary,	393	5,074	20
" Officers of public buildings,	397	50	00
" Repairing fund,	406	16	95
" Governor's house,	409	65	00
" Auditor's contingent fund,	411	658	31
" Recording State deeds,	416	100	00
" Seminary fund,	425	10,800	00
" Escheat department,	433	20	00
" Executing deeds,	435	538	20
" Common schools,	405	377	76
" The two per cent fund,	447	5,300	00
" Appropriation to fence in the capitol,	449	1,577	18
" Planter's bank bonds,	451	11,156	49
" Executed slaves,	453	1,322	50
" Vaccine agency,	455	200	00
" State deeds,	456	177	53
		$134,578	32¼

W. CLARK,
Ex-Treasurer of Miss.

JACKSON, January 4th, 1848.

AUDITOR'S REPORT.

AUDITOR'S OFFICE, November 23d, 1847.

His Excellency, A. G. Brown,

Governor of the State of Mississippi:

SIR: My connection with the office, which, by the suffrages o my fellow-citizens, I have held for nearly six years, being about to cease, impelled by a sense of duty, and in obedience to law, I herewith present you a report of the fiscal concerns of the State from the first day of January to the present date, both days inclusive.

I have, with much labor, prepared tables containing statements in detail, of the whole taxable property of each county in the State, separately, giving the value of, and tax upon each item. Also, a statement of the prospective revenue to be derived from all lands now owned by individuals, which had not been purchased from the United States five years prior to the assessments. Should the rate of taxation on lands remain as established by the late revenue law, thase tables show the prospective increase in the revenue to be derived from lands, until after the year 1848.

I have also, from these tables compiled one general tabular statement, embracing all the items in the first mentioned tables, and presenting at one view, and in detail, every item of taxable property in the State, and the tax derived from each: with a view also to furnish data (so far as the assessment lists would enable me) to the Legislature upon which it might act advisedly, in reference to the public lands within the State, the school lands, and the lands held by the State, I have given the number of acres of vacant land, school lands, and State's lands, with the value of each. I will, however, remark that the assessments of the State's lands are very imperfect, especially, of those purchased by the State at tax sales. In many of the counties, the lands held by the State by virtue of said purchases, are assessed to individuals. Hence the statement derived from the assessment lists, herewith presented, exhibits the quantity

of these lands much less than it really is. I will remark further, that said statement embraces only the lands assessed to the State in 1846, since which time, under the act of the last Legislature, making the State a purchaser at tax sales, the quantity of lands *now* held by the State has been more than doubled.

The aggregate results of the items presented in the general table above alluded to, in the whole State, are as follows:

Acres land taxable in 1846,	15,232,389,	valued at	$56,140,502 82
" additional " " 1847,	196,091,	"	142,763 92
" " " 1848,	87,086,	"	207,458 39
" " " after 1848,	503,940,	"	860,760 48
" of vacant lands,	11,322,147,	"	4,685,011 88
" held by the State,	470,064,	"	782,888 92
" of school lands,	561,271,	"	807,226 16
Total numb'r acr's in State,	29,406,350,	"	65,740,742 68

The average value of which, per acre, is $2 58⅓

The total State tax on lands for 1846, is shown to be 146,490 36

The additional tax on lands becoming taxable in 1847, is shown to be $401 14, which added to the tax on lands for 1846, gives the land tax for 1847, : : : : : 146,891 50

The additional land tax due in 1848, is $517 62, which added to the tax of 1847, makes the land tax for 1848, : : : : 147,409 12

And the additional land tax due after 1848, is $2,146 79, which added to the tax for 1848, gives the land tax after 1848, : : : 149,555 91

This estimate of the land tax after 1848, is founded on the assumption that the present rate of one-fourth of one per cent. *ad valorem*, will be continued; and that the assessment next year will present the same valuation of the lands, as the last assessment; but the new assessment may vary the valuation of the last assessment, and the amount of taxes will vary accordingly.

In reference to the personal property subject to taxation in the State, the aggregate, as shown by the aforesaid table, is as follows:

Money loaned at interest, : :	$1,648,021 94,	
Ad valorem tax, State tax, : :		$4,944 06

Merchandise sold by merchants,	7,356,642 15,	
Ad valorem tax, State tax,		22,069 92
Bank Stock,	5,529,075 00,	
Ad valorem tax, State tax,		13,822 69
Merchandise sold at auction,	36,633 70,	
Ad valorem tax, State tax,		917 98
3572 pleasure carriages worth	523,609 70,	
Ad valorem tax, State tax,		5,236 08
7249 watches valued at	357,496 00,	
Ad valorem tax, State tax,		3,574 94
13,130 clocks, valued at	163,952 10	
Ad valorem tax, State tax,		1,639 47
32 nine or ten pin alleys, special tax,		320 00
2 race tracks, " "		100 00
184 Bowie knives, " "		184 00
1624 pistols, " "		3,248 00
189,521 cattle over 20 head " "		1,895 21
4,807 race, stable and carriage horses,	$347,943 00	
Ad valorem tax,		3,478 43
Gold and silver plate above $50,	37,612 00	
Ad valorem tax,		753 09
912 pianos, valued at	172,010 00	
Ad valorem tax,		516 29
100 toll bridges and ferries	69,866 00,	
Ad valorem tax,		174 10
256 Stallions, special tax,		1,713 00
107 Jacks, " "		520 00
103 male free negroes, " "		229 50
244,265 slaves under 60 years, "		146,559 00
42,822 white polls, " "		21,411 00
Total State tax on personal property for 1846,		$233,236 72
To which add land tax of 1846,		146,490 36
And we have the total State tax of 1846,		$379,727 08

It will be perceived, however, by reference to another comparastatement herewith furnished, of the assessment of 1845, 1846 and 1847, that the assessments for 1846, including the additional assessments made by the sheriffs, amount to $386,952 13, or to

$7,225 05 more than the amount returned by the assessors.

The last mentioned table, or comparative statement of assessments for 1845, 1846 and 1847, exhibits the following facts, viz:

The amount of assessments for 1845, as returned by the assessors, was	$408,730 96
The amount of additional assessments made by the Tax collectors, was	4,405 43
The double taxes assessed and collected by the tax Collectors, were	4,080 03
Total assessment for 1847,	$417,216 42
To this we may add pedlar's licenses reported,	1,464 00
Licenses to retail spirituous and vinous liquors,	6,941 93
Collected of insolvenctes of 1844,	363 70
Licenses for billiard tables,	1,040 00
Licenses to brokers,	200 00
Amount of escheated estates,	58 00
Total revenue means for the year 1845,	$427,284 05
The total amount of assessments for 1846, including the additional assessments made by the tax colletors, was, as above stated,	$386,952 13
The amount assessed and collected by the collectors on defaulting tax payers, at 25 per cent.,	363 33
Licenses to retail spirituous liquors,	1,537 50
Licenses for billiard tables,	120 00
Licenses for pedlars,	595 00
Total revenue means for 1846,	$389,567 96
The assessments as for assessors' returns for 1847 so far as received, amount to	$371,404 99
The assessment lists of Jackson, Marion and Clark counties, are not yet received. The aggregate assessments for 1846, of those counties, was $4,116 24. It is presumed the assessments for 1847 will be equal,	4,116 34
And if so, the assessments for 1847 will be	$375,521 33

In the county of Adams, there is a falling off in the assessments for 1847 as compared with that of 1846, of $11,484 01. This is

owing to no assessment for 1847 having been made on the banks of that county; they, by judicial decisions, having passed, as was supposed, out of being. For several years past, comparatively nothing has been collected from said banks, so that, really although the assessments for 1847 appear to be less than those of 1846, they are in fact greater.

From the foregoing statements it will be seen that the total revenue means of the State as aforesaid for 1845, were $427,284 05

Of this therere was collected during the year 1846, and paid into the treasury,	$350,211 23	
From licenses to retail spirituous liquors,	6,054 81	
From pedlars' licenses,	1,389 98	
" billiard "	1,100 00	
" brokers' "	200 00	
" escheated estates,	58 88	$359,014 90
Balance not paid into the treasury,		$68,269 15
But in settlement with this office the collectors were allowed:		
For insolvencies,	$43,879 53	
" commissions for assessing,	203 83	
" " " collecting,	11,015 39	
" tax on State lands,	3,729 19	58,827 94
Leaving unsettled at the close 1846, for the revenue due for 1845,		$9,441 21

Of this amount $2,131 91 has since been collected and paid into the treasury, and I am apprised that a small additional amount is collected in the hands of District Attornies, and upwards of $3,000, will be settled by insolvences, not yet credited for want of the proper vouchers, of the Port Gibson Bank and Commercial Bank of Rodney; so that nearly all that can be made available from the assessment of 1845, is collected.

The total assessments, including licenses, &c., for 1846, as before stated, amount to		$389,567 96
Of this sum there has been collected and paid into the treasury, up to the 23d of November, 1847, (the date of this report,) of taxes on real and personal estate,	$315,825 25	

From licenses to retail spirituous liquors,	1,023 11	
From pedlars' licenses,	370 00	
" billiard table licenses,	120 00	317,338 36
Balance not paid into the treasury,		$72,229 60
But there have been allowed the tax collectors, in Settlement with this office:		
For insolvencies,	$26,808 55	
" commissions for collecting,	10,663 96	
" " " assessing,	1,291 30	
" tax on State lands,	913 80	
" taxes and costs on lands sold to the State,	17,205 49	
Refunded for excess, overpaid heretofore,	56 35	
For commissions on sales of property, sold for taxes,	61 66	57,001 11
Balance of assessment for 1846, not settled,		$15,228 49

About $10,000 of this amount, is due from Washington county, and the failure to collect, has resulted from the difficulty of getting a collector—having to hold several elections before an officer could be obtained who gave a satisfactory bond.

It will be perceived that the insolvent list for 1845 amounted to the large sum of $43,879 53, while for 1846 it amounted to only $26,808 55, showing a difference of $17,070 98. This difference, was chiefly caused by the failure on the part of the collectors to find bidders for real estate offered by them for taxes. Under the law of the last session, authorising them in such cases to purchase the lands for the State, the insolvent list is reduced about the amount of the excess of that of 1845: for that excess, as above stated, was $17,070 98, and the credits given for taxes and costs on lands purchased for the State, for taxes due for 1846, amount to $17,205 49.

In the foregoing statements of the amounts paid into the treasury, I have not mentioned the amounts received on account of the special funds of the State, nor from taxes due for former years; my object being to exhibit the amounts collected out of each assess-

ment, so that you and the Legislature might have *data* on which to calculate the receipts which may be expected from any given assessment. The entire receipts into the treasury during the year 1846, embracing those from taxes of 1845 and former years, as also those on account of Seminary, Sinking Funds, &c., were : : : ; $385,764 59

This sum was received on account of the following accounts, viz:

On account of State tax of 1845,	$350,211 23	
" " " " 1844,	833 34	
" " " " 1840,	357 30	
" " " " 1838,	884 85	
" " of licenses to retail spirituous liquors, : : :	6,054 81	
On account of licenses to pedlars,	1,389 98	
" " " billiard tables,	1,100 00	
" " " brokers, :	200 00	
" " of legislative department refunded, : : :	4 00	
On account of appropriations department refunded, : : :	150 00	
On account of public printing department refunded, : : :	66 00	
On account of repairing fund, :	5 50	
" " escheated estates, :	58 88	
" " Seminary Fund, :	13,794 11	
" " Sinking Fund, :	10,654 59	385,764 59

The total receipts into the treasury from the 1st of January, 1847, to the date of this report, were : : : : $486,970 06

This sum was received from the following sources, viz:

From State tax for 1846, : :	$315,825 23	
" " " 1845, : :	2,131 91	
" " " 1844, : :	3,419 15	
" " " 1843, : :	120 83	
" licenses to retail spirituous liquors, : : : :	1,023 11	

From licenses to pedlars, : :	370 00	
" " billiard tables, : :	120 00	
" Seminary Fund, : : :	1,735 48	
" Sinking Fund, : :	16,209 58	
" Town Lot Fund, : :	2,183 00	
" Two Per Cent. Fund, : :	143,831 77	486,970 06

Comparative Statements of Receipts and Expenditures.

The total receipts into the treasury from the 1st January, 1846, to the 1st January, 1847, as before stated, were	$385,764 59
The expenditures, or issues in warrants on the treasury from this office, during the same period, were : : : :	227,055 51
Excess of receipts over expenditures, : :	$158,709 08
The receipts into the treasury from all sources, from the 1st of January, 1847, to the 23d November, 1847, were : : : : :	$486,970 06
The expenditures, or issues of warrants on the treasury, during the same period, were :	141,326 33
Excess of receipts for 1847, to the 23d November,	$345,643 73

To Recapitulate.

Receipts during the year 1846, : : :	385,764 59
Receipts during the year 1847, to 23d November,	486,970 06
Total receipts from January 1st, 1846, to November 23d, 1847, : : : :	$872,734 65

Expenditures during the year 1846,	$227,055 51	
Expenditures during the year 1847, to 23d November, : :	141,326 33	368,381 84
Excess of receipts over expenditures, : :		$504,352 81

But a large portion of the above receipts, was on account of special funds, and that you may have a comparative view of the receipts from the sources of revenue alone, and the expenditures, I present you the following statement, viz:

Amount collected from the ordinary sources of revenue for 1846, : : : :	$361,095 89
Amount of expenditures for same period, :	227,055 51
Excess of receipts for 1846, : :	$134,040 38

Receipts from the ordinary sources of revenue, for 1847, to the 23d November, 1847,		$325,193 23
Expenditures during the same period,		141,326 33
Excess of receipts over expenditures,		$183,866 90

To Recapitulate.

Receipts for 1846 from ordinary sources of revenue,		$361,095 89
Receipts for 1847 from ordinary sources of revenue, to the 23d November,		325,193 23
Expenditures for 1846,	$227,055 51	$686,289 12
Expenditures for 1847, to 23d Nov.,	141,336 33	368,381 84
Excess of receipts,		$317,907 28

The expenditures of 1846 being, as above stated, $227,055 51, were made on the following accounts, viz:

On account of the Legislative department,	$44,264 79
" " " Judiciary "	82,755 80
" " " Executive "	8,924 27
" " " Executive Contingent Fund department,	4,000 00
On account of appropriations department,	20,946 56
" " " Expenditures of Penitentiary,	15,861 96
" " " State Library department,	2,157 27
" " " Militia department,	2,210 36
" " " Revolutionary Soldiers department,	3,702 07
" " " Commissions for assessing department,	8,649 60
" " " Interest on Funded debt department,	4,261 00
" " " Public building department,	7,423 50
" " " Elections department,	102 00
" " " Census department,	298 58
" " " Recording State deeds department,	813 87
" " " Seminary Fund department,	15,875 00
" " " Classifying lands department,	294 00
" " " Auditor's Contingent Fund department	1,786 20
" " " Repairing Fund department,	200 00
" " " Acknowledgement of Deeds department,	133 00
" " " Escheated Estates department,	53 64
" " " Locating State lands department,	115 00

"	" Printers Fees department,		138 75
"	" Distributing Laws and Journals departm't		295 00
"	" Executed Slaves department,		993 75
"	" Vaccine Agency department		300 00
"	" Common Schools department,		500 00
		$227,055	51

The expenditures from the 1st of January, 1847 to 23d of November inst., were, as before stated, $141,326 33, and were made on the following accounts, viz:

On account of	Judiciary department,	$74,638	70
"	" Executive department,	8,419	77
"	" Contingent Fund department,	2,896	15
"	" Appropriations department,	11,770	34
"	" Expenditures of Penitentiary departm't,	10,179	03
"	" State Library department,	1,337	08
"	" Militia department,	1,465	00
"	" Soldiers of the Revolution departm't,	2,044	77
"	" Commissions for assessing,	9,932	89
"	" Interest on Funded debt department,	2,048	27
"	" Public Printing department,	1,877	03
"	" Elections department,	36	00
"	" Census department,	68	92
"	" Classifying Lands department,	27	00
"	" Auditor's Contingent Fund departm't,	1,240	00
"	" Executed Slaves department,	1,622	50
"	" Escheated Estates department,	20	00
"	" Vaccine Agency department,	300	00
"	" Repairing Fund department,	23	70
"	" Acknowledgement of Deeds departm't,	3	00
"	" Town Lots department,	20	00
"	" Common Schools department,	387	75
"	" Executing State Deeds department,	967	79
"	" Seminary Fund department,	10,000	00
		$141,326	33

It may be proper to observe that, since January 1st, 1846, $25,875 00 have been expended on account of the Seminary Fund, for the erection of the University buildings at Oxford. This may

be properly called an *extraordinary* expenditure; and if deducted from the whole expenditure, the remainder will show the ordinary expenditures of the State.

I will further remark, that a considerable expenditure has been made for the benefit of the Rail Road between Jackson and Brandon, on the draft of your Excellency, (as I have been informed,) upon the State Treasurer, pursuant to an act of the last Legislature. As the drafts were not drawn on this office, no warrant was issued, and, consequently, the Treasury has no credit for the payment of the amount, at this office; nor have I any *data* from which I can report the amount of said expenditure. It may be proper also, to state that the Treasury still stands charged in this office with the whole of the two and three per cent. funds, reported by R. S. Graves as having been drawn by him from the United States, notwithstanding it is known that a large amount of those funds were embezzled by him, and are not now in the Treasury. These two circumstances have produced a disagreement in the accounts of the Treasurer's and Auditor's books, which ought not to exist, and which cannot be corrected except by legislative authority or direction.

The amount of the two per cent. fund to the debit of the Treasury on the books of this office, is : : $288,331 17

The balance of the three per cent. fund to the debit of the Treasury on the books of this office, is : $107,237 98

But I will remark that I am advised, that stock in the Planters Bank was taken by my predecessors, with this fund, to a considerable amount, but I am unable to find any record of the fact on the books of this office. It is likely that some information on the subject may be had by reference to the reports of former Auditors, which I have not in my possession.

The amount of the Seminary fund to the debit of the Treasury, as exhibited by the books of this office, is $60,859 77

This is the *principal* of the fund, and as I have no statement of the interest that has accrued, I refer you to the report of the late Treasurer, for information as to the amount of the whole fund, principal and interest.

The amount of the Sinking Fund, to the debit of the Treasury on the books of this office, is : : : $111,832 24

The amount to the credit of the Literary Fund, as shown by the books of this office, is : : : : $12,302.66

And I find an entry on Mallory's books showing that $800 of said fund was invested in bank stock.

All of which is respectfully submitted by your obedient servant,

JAMES E. MATTHEWS,
Auditor of Public Accounts.

STATEMENT in detail of State tax and items of taxation for 1846, *in Adams County.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	239,151	$3,417,197 00	$14 29		$8,542 99	State tax on real estate.
" " 1848,	319	398 00	1 25			
" " after 1848,	1,040	1,643 00	1 58			
School land not taxable,	6,180	43,881 48	7 10			
Vacant land,	20,832	9,877 62	47			
	267,522	$3,472,997 10	$12 60			
Money loaned at interest,				$264,898 00	794 69	3-10 of 1 per cent.
Merchandize sold by merchants,				1,119,806 00	3,359 41	" " "
Bank stock,				4,641,100 00	11,602 75	¼ of 1 per cent.
278 pleasure carriages,				46,960 00	469 60	1 per cent.
480 watches,				31,110 00	311 10	" "
288 clocks,				6,307 00	63 07	" "
1 ten-pin alley,					10 00	$10 00 each,
1 race track,					50 00	$50 00 each,
3 bowie knives,					3 00	$1 00 each,
102 pistols,					204 00	$2 00 each,
9,169 cattle over 20 head,					91 69	1 cent each,
576 race, saddle or carriage horses,				48,946 00	489 46	1 per cent.

Gold and silver plate over $50,	22,360 00	447 20	2 per cent.
171 pianos,	26,200 00	79 60	3-10 of 1 per cent.
2 toll-bridges and ferries,	1,000 00	2 50	¼ of 1 per cent.
2 stallions,	42 00	42 00	price of season,
1 jack,	6 00	6 00	" "
13 free male negroes,		20 50	$1 50 each,
13,965 slaves,		8,379 00	60 cents each,
647 white polls,		323 50	50 cents each,
		26,747 02	State tax on personal property.
	6,228,735 00	35,299 01	Total State tax.

Statement continued.—*Amite county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land now taxable,	232,927	$661,866 57	$2 84		$1,654 80	State tax on real estate,
" taxable in 1847,	84	319 12	3 80			
" taxable after 1848,	1,273	3,295 63	2 59			
School lands,	11,000	16,195 21	1 47¼			
Vacant lands,	224,315	56,078 77	25			
	469,590	$737,755 30	1 57			
Money loaned at interest,				$74,996 94	224 99	
Merchandize sold by merchants,				59,038 00	177 11	
46 pleasure carriages,				6,673 00	66 73	
117 watches,				6,666 00	66 66	
239 clocks,				3,870 00	38 78	
15 pistols,					30 00	
3,222 cattle,				1,850 00	32 22	
86 race, saddle or carriage horses,				6,848 00	68 48	
9 pianos,				1,850 00	5 55	
3 stallions,				13 00	13 00	
8 free male negroes,					12 00	
4,742 slaves under 60 years,					2,845 20	

512 white polls,		256 00	
	159,953 94	3,846 96	State tax on personal [property.
		5,501 76	Total State tax.

Statement continued.—*Attala county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	282,677	$535,448 00	$1 89⅓		$1,338 62	State tax on real estate,
" " 1847,	4,545	21,508 00	4 73¼			
" " 1848,	4,166	14,728 00	3 55⅓			
" " after 1848,	5,946	21,919 00	3 68⅔			
" belonging to the State,	18,110	24,673 00	1 36¼			
School lands,	10,880	15,200 00	1 40			
Vacant lands,	163,625	94,214 00	57½			
	489,949	$727,690 00	1 48½			
Money loaned at interest,				$6,101 00	18 30	
Merchandize sold by merchants,				72,945 50	218 83	
26 pleasure carriages,				3,185 00	31 85	
58 watches,				2,614 00	26 14	
208 clocks,				3,118 00	31 18	
1 ten-pin alley,					10 00	
5 bowie knives,					5 00	
24 pistols,					48 00	
1,376 cattle over 20 head,					13 76	
25 race, saddle or carriage horses,				1,573 00	15 72	

5 pianos,	855 00	2 65	
2 bridges or ferries,	1,000 00	2 50	
6 stallions,	39 00	39 00	
1 jack,	5 00	5 00	
1,978 slaves under 60 years old,		1,136 30	
880 white polls,		440 00	
	91,431 50	2,094 92	State tax on personal [property.
		3,433 54	Total State tax.

Statement continued.—*Bolivar county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Lands taxable in 1846,	277,602	$762,364 00	$2 38⅔		$1,905 88	State tax on real estate
" " 1847,	515	1,848 66	3 59			
" " 1848,	1,351	4,952 97	3 66½			
" " after 1848,	7,188	36,830 07	5 12⅓			
" belonging to the State,	88,395	174,346 77	1 97¼			
School lands,	37,848	65,415 09	1 72¾			
Vacant lands,	170,916	171,340 71	1 00¾			
	583,815	1,217,098 28	2 08			
Money loaned at interest,				$800 00	2 40	
16 watches,				1,220 00	12 20	
24 clocks,				293 00	2 93	
6 pistols,					12 00	
1,008 cattle over 20 head,					20 08	
19 race, saddle or carriage horses,				1,385 00	13 85	
2 pianos,				350 00	1 05	
1,444 slaves under 60 years old,					866 40	

119 white polls,		59 50
	$4,148 00	990 31 State tax on personal estate.
		2,896 19 Total State tax.

Statement continued.—*Claiborne county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	277,383	$1,654,640 25	5 96½		$4,136 60	
" " after 1848,	317	1,310 00	4 00			
School lands,	4,788	11,288 25	2 35¾			
Vacant lands,	17,647	9,740 00	55			
Town lots in Port Gibson,		196,175 00			490 43¾	
" " " Grand Gulf,		153,340 00			383 35	
	300,135	2,026,493 50			5,010 38¾	State tax on real estate
Money loaned at interest,				$8,294 00	24 88	
Merchandize sold by merchants,				258,582 00	775 74	
Merchandize sold at auction,				2,408 00	60 20	
126 pleasure carriages,				19,270 00	192 70	
321 watches,				18,985 00	189 85	
213 clocks,				2,776 50	27 76	
1 ten-pin alley,					10 00	
5 bowie knives,					5 00	
47 pistols,					94 00	
6,930 cattle over 20 head,					69 30	
366 race, saddle or carriage horses,				24,880 00	248 80	

Gold and silver plate over $50,	2,200 00	44 00	
50 pianos,	8,750 00	26 25	
5 bridges or ferries,	2,420 00	6 05	
4 stallions,	58 00	58 00	
9 free male negroes,		13 50	
9,500 slaves under 60 years,		5,700 00	
670 white polls,		335 00	
	348,623 50	7,861 04	State tax on personal estate.
		12,871 42	Total State tax.

Statement continued.—*Carroll county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land now taxable,	477,676	$1,535,012 09	3 21⅓		$3,838 69	State tax on real estate
" taxable in 1847,	357	446 25	1 25			
" " 1848,	1,007	8,656 71	8 60			
" " after 1848,	2,052	12,043 49	5 85¾			
" belonging to the State,	2,439	5,360 57	2 20			
School lands,	14,744	30,238 05	2 05			
Vacant lands,	136,475	25,157 73	18½			
	634,750	1,656,914 89	2 61			
Money loaned at interest,				$23,805 58	61 41	
Merchandize sold by merchants,				279,756 46	838 97	
81 pleasure carriages,				12,140 00	121 40	
209 watches,				8,878 00	88 78	
507 clocks,				7,548 00	75 48	
2 ten-pin alleys,					20 00	
8 bowie knives,					8 00	
27 pistols,					54 00	
3,686 cattle over 20 head,					36 86	
104 race, saddle and carriage horses,				8,340 00	83 40	

Gold and silver plate over $50,	220 00	4 40	
18 pianos,	3,935 00	11 80	
7 stallions,	53 00	53 00	
1 jack,	6 00	6 00	
6 free male negroes,		9 00	
7,399 slaves under 60 years,		4,439 40	
1,240 white polls,		620 00	
	344,681 04	6,579 82	State tax on personal property.
		10,418 51	Total State tax.

Statement continued—*Copiah County.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Land now taxable 1846,	292,875	$ 731,814 46	2 50		$ 1,829 51	State tax on real estate
" taxable in 1847,	160	600 40	3 75			
" " " 1848,	79	129 55	1 64			
" " after 1848.	1,321	3,257 55	2 46½			
Belonging to the State,	129	257 52	2 00			
School lands,	14,327	24,493 83	1 70			
Vacant lands,	248,893	79,130 02	31¾			
	557,784	839,653 33	1 50½			
Money loaned at interest,				$ 3,688 00	11 06	
Merchandize sold,				18,818 46	56 45	
30 pleasure carriages,				4,101 00	41 01	
83 watches,				2,760 00	27 60	
332 clocks,				4,547 00	45 47	
4 bowie knives,					4 00	
30 pistols,					60 00	
1650 cattle over 20 head,					16 50	
79 race, saddle, or carriage horses,				5,570 00	55 70	
4 pianos,				900 00	2 70	

5 stallions,	57 00	57 00	
3 jacks,	24 50	24 50	
4 free male negroes,		6 00	
4398 slaves under 60 years,		2,635 20	
944 white polls,		472 00	
	40,465 96	3,488 79	State tax on personal property.
		5,318 30	Total State tax.

Statement continued.—*Chickasaw County.*

Items of Taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Lands now taxable,	502,275	$1,191,092 00	$2 17¼		$3,051 75	State tax on real estate.
" taxable in 1847,	2,077	1,436 26	69			
" " " 1848,	1,360	4,240 60	3 11¾			
" " after 1848,	64,094	95,908 25	1 49⅔			
Vacant lands,	84,373	51,739 75	60			
Town lots now taxable,		29,611 00				
" " not yet taxable,		725 00				
	654,179	1,374,752 86	2 10			
Money loaned at interest,				$12,299 55	36 90	
Merchandize sold by merchants,				56,372 87	168 12	
" " at auction,				161 70	4 04	
75 pleasure carriages,				9,930 00	90 30	
123 watches,				4,875 00	48 75	
354 clocks,				4,598 00	45 98	
6 bowie knives,					6 00	
28 pistols,					56 00	
3873 cattle over 20 head,					38 73	
57 race, saddle or carriage horses,				4,140 00	41 40	

6 pianos,	1,625 00	4 87	
1 bridge or ferry,	4,000 00	10 00	
14 stallions	73 00	73 00	
7 jacks,	37 00	37 00	
1 free male negro,		1 50	
4,061 slaves under 60 years,		2,436 60	
1,383 white polls,		691 50	
	98,112 12	3,800 65	State tax on personal property.
		6,852 40	Total State tax.

Statement continued—*Choctaw County.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Lands taxable in 1846,	333,093	$558,582 40	1 68		$1,459 92	State tax on real estate.
" " after 1848,	8,740	13,716 00	1 57			
Belonging to the State,	4,830	6,800 00	1 40¾			
School lands,	12,400	15,760 00	1 27			
Vacant lands,	221,060	136,402 40	61⅓			
Town lots,		9,420 00				
	580,123	740,680 80	1 28			
Money loaned at interest,				$5,832 75	17 49	
Merchandize sold by merchants,				42,046 09	126 14	
21 pleasure carriages,				1,815 00	18 15	
47 watches,				1,663 00	16 63	
316 clocks,				1,991 50	19 91	
3 bowie knives,					3 00	
18 pistols,					36 00	
788 cattle over 20 head,					7 88	
18 saddle, race, or carriage horses,				1,255 00	12 55	
1 piano,				40 00	12	
1 toll bridge or ferry,				200 00	50	

9 stallions,	60 00	60 00	
1 jack,	6 00	6 00	
2,063 slaves under 60 years old,		1,237 80	
1,020 white polls,		510 00	
	54,909 34	2,125 32	State tax on personal estate.
		8,585 24	Total State tax.

Statement continued.—*Clark county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Lands taxable in 1846,	71,345	$168,294 83	2 36		$415 27	State tax on real estate
" " " 1848,	411	809 78	1 97			
" " after 1848,	2,426	5,691 00	2 34			
School lands,	9,012	2,945 15	32½			
Vacant lands,	338,951	89,921 88	27			
	422,145	267,662 64				
Money loaned at interest,				$3,239 43	9 72	
Merchandize sold by merchants,				26,788 00	80 36	
8 pleasure carriages,				580 00	5 80	
21 watches,				752 00	7 52	
133 clocks,				1,709 25	17 09	
3 bowie knives,					3 00	
4 pistols,					8 00	
2,484 cattle over 20 head,					24 84	
11 race, saddle or carriage horses,				980 00	9 80	
1 piano,				50 00	15	
2 stallions,				13 00	13 00	
1 free male negro,					1 50	

354 white polls,		177 00
1,035 slaves,		621 00
1 ten-pin alley,		10 00
	$34,111 68	992 07
		1,407 34

Statement continued—*Covington county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	47,358	$113,891 00	$2 40½		$290 40	State tax on real estate.
" " " 1848,	80	240 00	3 00			
" " after 1848,	560	1,380 00	2 46½			
School lands,	12,160	8,384 00	69			
Vacant lands,	301,425	33,431 00	11			
Town lots,		2,272 50				
	361,583	$159,598 50	44			
Money loaned at interest,				$19,710 07	59 13	
Merchandize sold by merchants,				9,025 00	27 07	
Merchandize sold by transient vendors,				323 00	8 17	
10 pleasure carriages,				820 80	8 20	
36 watches,				628 80	6 28	
136 clocks,				1,396 00	13 96	
2 bowie knives,					2 00	
18 pistols,					36 00	
3358 cattle over 20 head,					33 58	
10 race, saddle and carriage horses,				725 00	7 25	
1 piano,				50 00	15	

1 bridge or ferry,	100 00	25	
2 stallions,	9 00	9 00	
986 slaves under 60 years old,		591 60	
304 white polls,		151 80	
	$32,787 67	$948 33	State tax on personal estate.
		$1,238 73	Total State tax.

Statement continued—*Coahoma county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land now taxable.	61,341	$284,555 92	$4 63¾		$718 10	State tax on real estate.
Land taxable in 1847,	2,227	15,324 26	6 88			
" " after 1848,	21,908	173,414 09	7 91½			
" belonging to the State,	790	2,689 93	3 40½			
School lands,	13,784	31,158 85	2 25¼			
Vacant lands,	346,774	658,911 11	1 90			
	446,824	$1,166,054 16	$2 61			
Money loaned at interest,				300 00	90	
Merchandize sold by merchants,				8,100 00	24 30	
Merchandize sold at auction,				200 00	5 00	
2 pleasure carriages,				200 00	2 00	
32 watches,				1,580 00	15 80	
46 clocks,				675 50	6 75	
1 ten pin alley,					10 00	
4 pistols,					8 00	
1395 cattle over 20 head,					13 95	
5 race, saddle and carriage horses,				360 00	3 60	
2 bridges or ferries,				125 00	31	

3 stallions,	17 50	17 50	
2 free male negroes,		3 00	
954 slaves under 60 years old,		572 40	
366 white polls,		183 00	
	$11,557 50	$863 45	State tax on personal property.
		$1,581 55	Total State tax.

97

Statement continued—*Desoto county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Lands taxable in 1846,	522,468	$2,069,780 00	$3 96		$5,174 45	
Town lots,		44,972 00			112 43	
		$2,114,752 00			$5,286 88	State tax on real estate.
Money loaned at interest,				$22,730 81	68 19	
Merchandize sold by merchants,				71,346 38	214 04	
Merchandize sold at auction,				100 00	2 50	
95 pleasure carriages,				12,854 00	128 54	
149 watches,				6,894 00	68 94	
356 clocks.				3,522 00	35 22	
10 bowie knives,					10 00	
68 pistols,					136 00	
2152 cattle over 20 head,					21 52	
67 race, saddle and carriage horses,				4,320 00	43 20	
8 pianos,				1,475 00	14 42	
4 toll bridges and ferries,				1,200 00	3 00	
7 stallions,				48 00	48 00	
4 jacks,				16 50	16 50	
1 free male negro,					1 50	

5837 slaves under 60 years old,		3,502 20	
1280 free polls,		640 00	
	$124,505 69	$4,942 26	State tax on personal property.
		$10,229 14	Total State tax.

Statement Continued.—*Franklin County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Lands now taxable,	144,554	$338,058 33	2 33¾		$845 05	
" taxable in 1848,	469	1,593 00	3 40			
" " after 1848,	1,085	2,341 88	2 16			
" belonging to the State,	77	38 51	50			
" school land,	8,831	3,806 68	43			
" vacant land,	236,565	28,039 24	11¾			
	391,581	373,877 24	96			
Money loaned at interest,				$11,380 00	33 14	
Merchandize sold by merchants,				7,930 00	23 79	
24 pleasure carriages,				3,650 00	36 50	
74 watches,				3,964 50	39 64	
161 clocks,				2,311 00	23 11	
6 bowie knives,					6 00	
19 pistols,					38 00	
2,776 cattle over 20 head,					27 76	
93 race, saddle and carriage horses,				6,585 00	65 85	
Gold and silver plate over $50,				150 00	3 00	
5 pianos,				765 00	2 29	

1 bridge or turnpike,	250 00	62	
4 stallions,	25 00	25 00	
1 Jack,	5 00	5 00	
2 free male negroes,		3 00	
2,855 slaves under 60 years,		1,713 00	
383 white polls,		196 50	
	36,815 50	2,238 87	[property. State tax on personal
		3,083 92	Total State tax.

Statement Continue—*Green County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY,	STATE TAX.	REMARKS.
Land taxable in 1846,	28,772	$ 59,763 75	2 07¾		$ 147 91	State tax on real estate
" " " 1848,	555	1,066 50	1 92			
" " after 1848,	285	295 00	1 03¼			
School lands,	14,007	892 27	06¼			
Vacant lands,	505,295	24,181 05	04¾			
	548,914	86,198 57	15¾			
Money loaned at interest,				$ 2,860 00	8 58	
Merchandize sold by merchants,				350 00	1 05	
4 pleasure carriages,				145 00	1 45	
8 watches,				185 00	1 85	
47 clocks,				791 00	7 91	
4,672 cattle over 20 head,					46 73	
1 race, saddle or carriage horse,				75 00	75	
4 toll bridges or ferries,				600 00	1 50	
1 stallion,				5 00	5 00	
525 slaves under 60 years,					315 00	

202 white polls,		101 00	
	5,011 00	490 80	State tax on personal [estate.
		640 21	Total State tax.

Statement Continued.—*Harrison County.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	34,717	$346,260 53	$9 97⅔		$865 65	State tax on real estate.
" " " 1847,	120	181 00	1 51			
" " " 1848,	572	1,045 17	1 82¾			
" " after 1848,	606	1,625 28	2 68			
School lands,	18,279	4,331 46	23⅔			
Vacant lands,	586,503	120,245 16	20½			
	640,797	$473,688 60	74			
Merchandize sold by merchants,				$10,250 00	30 75	
Merchandize sold at auction,				830 00	20 75	
8 pleasure carriages,				520 00	5 20	
21 watches,				1,057 00	10 57	
35 clocks,				338 00	3 38	
2 ten pin alleys,					20 00	
1 Bowie knife,					1 00	
4 pistols,					8 00	
5160 cattle over 20 head,					51 60	
8 race, saddle and carriage horses,				375 00	3 75	
Gold and silver plate over $50,				172 00	3 44	

6 pianos,	520 00	1 66	
1 toll bridge or ferry,	50 00	12	
6 free male negroes,		9 00	
500 slaves under 60 years,		300 00	
235 white polls,		117 50	
Additional items not mentioned; amount State tax on which,		16 13	
	$14,112 00	$603 61	State tax on personal [estate.
		$1,469 26	State tax, total.

Statement Continued.—*Hancock County.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	56,856	$199,609 39	$3 51		$499 05	State tax on real estate.
" " after 1848,	617	2,705 00	4 38⅓			
Vacant and school lands not assessed, but supposed,	519,000	51,900 00	10			
	576,473	$254,214 39	44			
Money loaned at interest,				$8,801 00	26 40	
Merchandize sold by merchants,				21,589 00	64 67	
11 pleasure carriages,				1,295 00	12 95	
68 watches,				2,400 00	24 00	
56 clocks,				713 50	7 13	
1 Bowie knife,					1 00	
9,942 cattle over 20 head,					99 42	
18 race, saddle or carriage horses,				1,035 00	10 35	
Gold and silver plate over $50,				129 00	2 58	
5 pianos,				415 00	1 21	
1 bridge or ferry,				351 00	88	
1 stallion,				4 00	4 00	
1 jack,				4 00	4 00	

10 free male negros,		15 00	
874 slaves under 60 years,		524 40	
306 white polls,		153 00	
	$36,736 50	$954 38	State tax on personal estate.
		$1,453 43	Total State tax.

Statement continued—*Holmes county,*

Items of taxation, &c.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Lands taxable in 1846,	394,217	$1,400,196 49	$3 55		$3,687 79	State tax on lands at ¼ of 1 per cent.
" " " 1847,	453	1,500 00	3 31			
" " " 1848,	336	2,712 00	8 07			
" " after 1848,	1,872	7,559 80	4 04			
School lands not taxed,	6,720	8,000 00	1 19			
Vacant lands,	152,636	85,034 50	55¾			
Town lots,		75,002 00				
	556,234	$1,580,004 79	2 84			
Money loaned at interest,				$9,275 00	27 82	[3-10 of 1 per cent. Ad valorem tax at
Merchandize sold,				123,493 00	370 48	do do do
126 pleasure carriages,				15,465 00	154 65	do do 1 per cent
146 watches,				8,025 00	80 25	do do do
338 clocks,				4,972 00	49 72	do do do
2 ten pin alleys,					20 00	Specific tax $10 each
5 Bowie kives,					5 00	" " $1 "
20 pistols,					40 00	" " $2 "
2,793 cattle over 20 head,					27 93	Specific tax 1 cent each
92 race and saddle horses,				8,105 00	81 05	Ad. val. tax 1 per cent.

Silver and gold plate over $50,	285 00	5 70	" " 2 " "
7 pianos,	1,400 00	4 20	" " 3-10 of 1 pr c't
3 toll bridges and ferries,	6,250 00	15 62	" " ¼ " "
3 stallions,	28 00	28 00	" " price of season
3 jacks,	16 00	16 00	" " " "
1 free male negro,		1 50	Special tax $1 50 each
6,704 slaves,		4,022 40	" " 60 cts. each
1,036 white polls,		518 00	" " 50 " "
	$177,314 00	$5,448 95	State tax on personal [property.
		$9,136 74	Total State tax.

Statement Continued—*Hinds County.*

Items of taxation, &c.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
No. of acres of taxable land 1846	522,382	$2,157,435 00	$4 13		$6,443 31	Total tax on land and
" " " " 1848	920	2,760 00	3 00			Town lots ¼ per cent.
No. of acres held by the State,	1,850	5,400 00	2 92			
No. acres school lands not taxed,	11,520	30,080 00	2 61			
No. of acres of vacant land,	8,611	10,174 00	1 18			
Town lots,		417,130 00				
	545,283	$2,622,979 00	$4 41			
						Taxed *ad valorem*
Money loaned at interest,				$64,338 00	193 01	3-10 of 1 per cent.
Sales of merchandize,				612,702 00	1,838 10	" " " "
Auction sales of merchandize,				2,396 00	59 80	2½ per cent.
306 pleasure carriages,				41,615 00	416 15	1 per cent.
631 watches,				33,590 00	335 90	1 per cent.
560 clocks,				7,918 00	79 18	1 per cent.
4 ten pin alleys,					40 00	Specific tax $10 each
7 Bowie knives,					7 00	" " $1 each
73 pistols,					146 00	" " $2 each
6,151 head of cattle over 20 head,					61 51	" " 1 ct. each.
320 face and saddle horses,				23,050 00	230 50	*Ad val'm* tax 1 per c't.

Gold and silver plate above $50,	1,812 00	36 24	" " " 2 " "
85 pianos,	15,825 00	47 47	" " tax 3-10 1 pr ct
8 toll bridges and ferries,	4,620 00	11 54	" " " ¼ of 1 per ct
7 stalions, value per season,	65 00	65 00	" " " price of seas'n
5 jacks, value per season,	35 00	35 00	" " " " "
12 free male negroes,		18 00	" " " $1 50 each
13,289 slaves,		7,973 40	" " " 60 cents each
1,676 white polls,		838 00	" " " 50 " "
	$807,966 00	$12,432 36	Total tax on personal [property.
		$18,875 67	Total State tax.

Statement continued—*Issaquena county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	268,196	$1,756,782 00	$6 55		$4,391 95	State tax on real estate.
" " " 1848,	2,731	17,593 00	6 44			
" " after 1848,	748	2,078 00	2 77¾			
School land,	17,509	62,817 00	3 58¾			
Lands belonging to the state,	6,402	39,540 00	6 17½			
Vacant land,	322,420	531,624 00	1 64¾			
	618,006	$2,410,434 00	$3 90			
Money loaned at interest,				$7,150 00	21 45	
4 pleasure carriages,				525 00	5 25	
60 watches,				3,928 00	39 28	
13 clocks,				359 00	3 59	
1 bowie knife,					1 00	
10 pistols,					20 00	
2772 cattle above 20 head,					27 72	
79 race, saddle and carriage horses,				5,135 00	51 35	
Gold and silver plate,				275 00	5 50	
5 pianos,				1,275 00	3 82	
1 toll bridge,				50 00	12	

3997 slaves,		2,398 20	
148 white polls,		74 00	
			[property.
	$18,697 00	$2,677 18	State tax on personal
		$7,069 13	Total state tax.

Statement continued—*Itawamba County.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	442,984	$676,210 00	$1 52⅔		$1,758 06	State tax on real estate.
Towm lots,		23,024 00	69¾			
Land taxable in 1847,	26,870	18,724 00	69¾			
" " " 1848,	479	119 00	25			
" " after 1848,	53,735	38,811 00	72¼			
Vacant land,	35,784	8,562 00	26½			
	559,852	$765,450 00	$1 37			
Money loaned at interest,				$20,352 00	$61 05	
Merchandize sold by merchants,				50,517 00	151 55	
Merchandize sold at auction,				500 00	12 50	
9 pleasure carriages,				810 00	8 10	
66 watches,				1.820 50	18 20	
314 clocks,				3,374 25	33 74	
1 Bowie knife,					1 00	
5 pistols,					10 00	
1,582 cattle,					15 82	
11 race, saddle or carriage horses,				660 00	6 60	
1 toll bridge or ferry,				50 00	12	

6 stallions,	27 00	27 00	
2 jacks,	7 00	7 00	
1 free male negroe,		1 50	
1,293 slaves under 60 years old,		775 80	
1,264 white polls,		632 00	
	$78,117 75	$1,704 23	Assessor's calculation [of state tax.
		$3,462 29	Total State tax.

Statement continued.—*Jefferson County.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Lands now taxable,	239,702	$1,353,810 35	$5 64¾		$3,384 52	State tax on real estate.
" taxable after 1848,	240	320 00	1 33⅓			
School land,	8,276	29,470 00	3 56			
Vacant lands,	60,151	44,983 00	74¾			
	308,369	$1,428,583 35				
Money loaned at interest,				$15,032 18	45 09	
Merchandize sold by merchants,				199,328 18	597 98	
116 pleasure carriages,				20,315 00	203 15	
118 watches,				10,247 00	102 47	
155 clocks,				2,720 00	27 20	
2 ten pin alleys,					20 00	
2 bowie knives,					2 00	
28 pistols,					56 00	
6444 cattle over 20 head,					64 44	
262 race, saddle and carriage horses,				18,070 00	180 70	
Gold and silver plate over $50,				675 00	13 50	
30 pianos,				5,975 00	17 92	
4 stallions				34 00	34 00	

14 free male negroes, - - - - -		21 00	
9,430 slaves under 60 years, - - - -		5,658 00	
555 white polls, - - - - -		277 50	
	$272,396 36	$7,324 40	State tax on personal property.
		$10,708 92	Total State tax.

Statement continued—*Jasper county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	148,410	$260,606 00	$1 72½		$693 70	State tax on real estate.
Town lots,		17,250 00				
Land taxable in 1848,	960	1,200 00	1 25			
" " after 1848,	6,240	8,360 00	1 34			
School lands,	9,600	10,080 00	1 05			
Vacant land,	256,147	64.037 00	25			
	21,357	$361,533 00	86			
Money loaned at interest,				$1.281 45	3 84	
Merchandize sold by merchants,				27,034 28	81 10	
12 pleasure carriages,				1,055 45	10 55	
55 watches,				1,924 00	19 34	
219 clocks,				2,851 50	28 51	
1 bowie knife,					1 00	
18 pistols,					36 00	
2533 cattle over 20 head,					25 33	
2 1 race, saddle and carriage horses,				1,525 00	15 25	
4 stalions,				26	26 00	
1 jack,				3	3 00	

1500 slaves - - - - - - - -		900 00	
558 white polls, - - - - - -		279 00	
			[property.
	$35,700 68	$1,439 33	State tax on personal.
		$2,133 03	Total state tax.

Statement continued.—*Jones county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	13,605	$ 13,756 68	1 01		$34 39	State tax on real estate.
" " 1847,	160½	200 62	1 25			
" " after 1848,	398	414 31	1 04			
School lands,	10,240	1,942 00	19			
Vacant lands,	407,061	22,511 12	5½			
	431,456½	38,824 73	9			
Money loaned at interest,				$ 730 00	2 19	
Merchandize sold by merchants,				1,005 00	3 01	
2 watches,				25 00	25	
37 clocks,				513 00	5 13	
3,051 cattle over 20 head,					30 51	
1 toll bridge or ferry,				10 00	2	
2 stallions,				6 00	6 00	
186 slaves under 60 years old,					111 60	

214 white polls, - - - - - - -		107 00	
	2,289 00	269 74	State tax on personal [estate.
		304 13	Total State tax.

Statement continued—*Jackson county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	82,691	$140,864 84	$1 70⅓		$335 26	State tax on real estate.
" " 1848,	120	210 00	1 75			
" " after 1848,	595	815 00	1 37			
Belonging to the State,	1,345	672 50	50			
School lands,	12,808					
Vacant land,	471,289					
	568,848	$142,56: 84	$ 25			
Money loaned at interest,				$1,800 00	5 40	
Merchandize sold by merchants,				8,300 00	24 90	
2 pleasure carriages,				350 00	3 50	
21 watches,				760 00	7 60	
51 clocks,				905 00	9 05	
1 ten-pin alley,					10 00	
4,146 cattle over 20 head,					41 46	
Gold and silver plate over $50,				125 00	2 50	
3 pianos,				410 00	1 23	
4 toll-bridges and ferries,				305 00	76	
2 stallions,				11 00	11 00	

5 free male negroes,	7 50	
489 slaves over 60 years old,	293 40	
213 white polls,	106 50	
		property.
$12,966 00	$525 40	State tax on personal
	$860 66	Total State tax.

Statement continued.—*Kemper county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	239,241	$512,420 50	2 14		$1,281 05	State tax on real estate
" " " 1847,	480	1,600 00	3 33⅓			
" " " 1848,	4,202	10,919 50	2 49			
" " after 1848,	9,480	23,710 00	2 50			
School lands,	7,200	11,600 00	1 61			
Vacant land,	224,255	128,966 00	57½			
	484,858	689,216 00	1 42			
Money loaned at interest,				$11,418 00	34 25	
Merchandize sold by merchants,				43,718 00	131 15	
49 pleasure carriages,				7,895 00	78 95	
108 watches,				3,377 00	33 77	
222 clocks,				2,838 00	28 38	
1 bowie knife,					1 00	
11 pistols,					22 00	
2,565 cattle over 20 head,					25 65	
26 race, saddle and carriage horses,				1,855 00	18 55	
Gold and silver plate over $50,				25 00	50	
15 pianos,				3,150 00	9 45	

4 stallions,	23 00	23 00	
2 jacks,	11 00	11 00	
2 free male negroes,		3 00	
4,115 slaves under 60 years,		2,469 00	
967 white polls,		483 50	
	64,310 00	3,373 28	State tax on personal estate.
		4,654 33	State tax total.

Statement continued.—*Lowndes county.*

ITEMS OF TAXATION.	No. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	376,406	$1,993,837 00	5 29½		$5,192 37	
" " " 1847,	120	290 00	2 41			
" " " 1848,	912	3,506 00	3 84			
Vacant lands,	2,472	2,312 00	93¾			
Town lots not included above,		26,675 00			66 80	
School lands not valued,	8,960				5,259 17	State tax on real estate
	388,870	2,026,620 00	5 21			
Money loaned at interest,				$128,058 85	384 17	
Merchandize sold by merchants,				371,886 77	1,115 66	
Merchandize sold at auction,				16,326 00	408 15	
234 pleasure carriages,				41,478 00	414 78	
382 watches,				18,994 00	189 94	
481 clocks,				6,235 00	62 35	
1 race track,					50 00	
8 bowie knives,					8 00	
69 pistols,					138 00	
2,322 cattle over 20 head,					23 22	

189 race, saddle or carriage horses,	13,620 00	136 20	
Gold and silver plate over $50,	1,555 00	31 00	
54 pianos,	11,580 00	34 74	
6 bridges or ferries,	23,500 00	58 75	
5 stallions,	34 00	34 00	
3 jacks,	15 00	15 00	
3 free male negroes,		4 50	
10,882 slaves under 60 years,		6,529 20	
1,266 white polls,		633 00	
	633,282 62	10,282 20	State tax on personal estate.
		15,541 37	Total State tax.

Statement continued—*Lafayette County.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Lands taxable in 1846,	475,444	$941,178 80	1 98			
" " 1847,	960	2,960 00	3 08⅓			
" " 1848,	480	120 00	25			
" " after 1848,	5,280	5,400 00	1 02¼			
" belonging to the State,	800	6,440 00	8 05			
Vacant lands,	4,320	976 00	18⅓		$2,602 93	State tax on real estate.
	487,284	957,074 80	1 96⅓			
Money loaned at interest,				$12,593 69	37 80	
Merchandize sold by merchants,				51,688 00	155 06	
30 pleasure carriages,				4,505 00	45 05	
88 watches,				3,511 00	35 11	
272 clocks,				2,500 00	25 00	
2 bowie knives,					2 00	
16 pistols,					32 00	
1,036 cattle over 20 head,					10 36	
40 saddle, race, or carriage horses,				3,110 00	31 10	
Gold and silver plate,				15 00	30	
5 pianos,				1,150 00	3 45	

5 toll bridges or ferries,	2,100 00	5 25		
3 stallions,	15 00	15 00		
3 jacks,	14 00	14 00		
3478 slaves under 60 years,		2,086 80		
991 white polls,		495 50		
	81,201 69	2,993 83	State tax on personal property.	
		5,596 76	Total State tax.	

Statement continued—*Leake county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	234,966	$371,947 00	$1 57¾		$929 86	State tax on real estate.
Belonging to the State,	360	360 00	1 00			
School lands,	9,660	4,128 00	42¾			
Vacant lands,	128,840	46,919 00	36½			
	373,826	$423,354 00	1 13			
Money loaned at interest,				$1365 00	3 09	
Merchandize sold by merchants,				20.895 00	62 68	
12 pleasure carriages,				1,414 00	14 14	
30 watches,				888 00	8 88	
139 clocks,				1,939 00	19 39	
10 pistols,					20 00	
1519 cattle over 20 head,					15 19	
8 race, saddle and carriage horses,				605 00	6 05	
1 piano,				50 00	15	
8 toll bridges or ferries,				1,390 00	3 47	
3 stallions,				22 00	22 00	
1 free male negro,					1 50	
1056 slaves under 60 years old,					633 60	

480 white polls, - - - - - -		240 00	
	$27,568 00	$1,051 16	State tax on personal estate,
		$1,981 02	Total State tax.

Statement continued—*Lauderdale County.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Lands taxable in 1846,	122,920	$383,927 89	3 12½		$959 80	State tax on real estate
" taxable in 1847,	320	2,108 12	6 58¾			
" " " 1848,	7,990	28,013 56	3 50¾			
" " after 1848.	3,701	12,173 12	3 26			
Belonging to the State,	324	415 17	1 28			
School lands,	6,673	3,461 21	51¾			
Vacant lands,	293,448	61,220 40	20¾			
	435,376	$491,319 47	1 12½			
Money loaned at interest,				$6,170 22	18 51	
Merchandize sold by merchants,				58,223 85	174 67	
31 pleasure carriages,				3,167 00	31 67	
32 watches,				810 00	8 10	
276 clocks,				3,596 00	35 96	
3 ten pin allies,					30 00	
1 bowie knife,					1 00	
12 pistols,					24 00	
747 cattle over 20 head,					7 47	
13 race, saddle, or carriage horses,				910 00	9 10	

Gold and silver plate,	50 00	1 00	
1 piano,	150 00	45	
2 stallions,	9 00	9 00	
1 free male negro,		1 50	
2,070 slaves under 60 years old,		1,242 00	
817 white polls,		408 50	
	73,080 07	2,033 91	State tax on personal estate.
		2,993 71	Total State tax.

Statement continued.—*Lawrence county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	127,036	$297,793 50	2 34⅓		$744 79	State tax on real estate
" taxable in 1847,	270	940 00	3 48			
" " 1848,	320	1,240 00	3 87½			
" " after 1848,	1,113	2,629 00	2 36¼			
School lands,	11,530	5,580 00	48⅓			
Vacant lands,	432,418	125,824 00	29			
	572,687	434,006 50	75¾			
Money loaned at interest,				$14,165 00	42 49	
Merchandize sold by merchants,				45,714 00	137 14	
17 pleasure carriages,				1,400 00	14 00	
77 watches,				2,445 00	24 45	
254 clocks,				3,015 50	30 15	
2 bowie knives,					2 00	
15 pistols,					15 00	
2,217 cattle over 20 head,					22 17	
32 race, saddle and carriage horses,				2,312 00	23 12	
Gold and silver plate,				100 00	2 00	
3 pianos,				650 00	1 95	

2 bridges or ferries,	425 00	1 06	
6 stallions,	88 00	38 00	
2 jacks,	10 00	10 00	
1 free male negroe,		1 50	
2,454 slaves under 60 years,		1,472 40	
578 white polls,		289 00	
	70,276 50	2,142 50	State tax on personal estate.
		2,887 29	Total State tax.

Statement continued.—*Madison county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Lands taxable in 1846,	429,696	$ 2,357,960 50	5 59			
Town lots,		175,135 00			$6, 332 73	State tax on real estate
		2,533,095 50	5 90			
Money loaned at interest,				$ 10,089 17	30 16	
Merchandize sold by merchants,				177,548 00	532 64	
297 pleasure carriages,				44,835 00	448 35	
310 watches,				17,056 00	170 56	
279 clocks,				4,554 00	45 54	
3 bowie knives,					7 00	
77 pistols,					144 00	
6,663 cattle over 20 head,					66 63	
265 saddle and race, horses,				19,532 00	195 32	
Gold and silver plate over $50,				483 00	9 66	
47 pianos,				9,710 00	29 13	
2 toll bridges and ferries,				3,600 00	9 00	
6 stallions,				59 00	59 00	
5 Jacks,				25 00	25 00	
2 free male negroes,					3 00	

16,267 slaves, : : : : :		7,960 20	
969 white polls, : : : : :		484 50	
		10,449 94	State tax on personal property.
		16,782 67	Total State tax.

Statement continued—*Marshall county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	428,905	$2,330,030 00	$5 43¼		$5,825 07	State tax on real estate.
" taxable in 1847,	160	640 00	4 00			
" " " 1848,	1,760	2,480 00	1 41			
School lands not taxable,		55,350 00				No. of acres not given in the assessment.
	430,825	$2,388,500 00	$5 54			
Money loaned at interest,				$58,320 00	174 96	
Merchandize sold by merchants,				201,463 00	604 39	
Bank stock,				58,720 00	146 80	
209 pleasure carriages,				33,030 00	330 30	
325 watches,				12,795 00	127 95	
690 clocks,				5,308 00	53 08	
2 ten pin alleys,					20 00	
4 Bowie knives,					4 00	
54 pistols,					108 00	
1687 cattle over 20 head,					16 87	
152 race, saddle and carriage horses,				10,157 00	101 57	
Gold and silver plate over $50				550 00	11 00	
48 pianos,				10,470 00	31 41	

15 stallions,		77 00	77 00
11 jacks,		42 00	42 00
3 free male negroes,			4 50
10,945 slaves under 60 years,			6,567 00
2,254 white polls,			1,127 00
		$390,932 00	$9,580 28 State tax on personal estate.
			$15,405 35 Total State tax.

Statement Continued—*Monroe County.*

Items of taxation, &c.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	358,633	$1,953,674 66	$5 47⅔		$5,778 26	State tax on real estate.
" " " 1847,	360	3,490 00	9 69⅓			
" " " 1848,	160	320 00	2 00			
" " after, 1848,	3,391	5,997 75	1 47⅓			
School land,	640	3,230 00	5 04¾			
Vacant land,	97,735	9,772 00	10			
Town lots,		295,036 00				
	458,919	$2,271,520 41	4 95			
Money loaned at interest,				$56,030 00	168 09	
Merchandize sold by merchants,				448,355 00	1,345 06	
Merchandize sold at auction				300 00	7 50	
186 pleasure carriages,				26,070 00	260 70	
257 watches,				12,393 00	123 93	
445 clocks,				4,279 00	42 79	
2 ten pin alleys,					20 00	
5 Bowie knives,					5 00	
50 pistols,					100 00	
1,802 head of cattle over 20 head,					18 02	

71 race, saddle or carriage horses,	5,381 00	53 81	
Gold and silver plate above $50,	200 00	4 00	
28 pianos,	6,150 00	18 45	
9 stalions,	55 00	55 00	
3 jacks,	18 00	18 00	
3 free male negroes,		4 50	
8,363 slaves under 60 years,		5,017 80	
1,438 white polls,		719 00	
	$559,231 00	$7,699 93	Total tax on personal [estate.
		$13,478 19	Total State tax.

Statement Continued.—*Marion County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	81,759	$106,042 48	1 29½		$282 20	State tax on real estate
" " after 1848,	681	721 00	1 06			
School lands,	24,848	4,969 72	20			
Vacant land,	819,911	164,938 02	20			
	927,199	276,671 22	30			
Money loaned at interest,				$84,755 00	254 26	
Merchandize sold by merchants,				10,620 70	31 86	
11 pleasure carriages,				1,200 00	12 00	
21 watches,				695 00	6 95	
100 clocks,				1,178 00	11 78	
7,525 cattle over 20 head,				7,525 00	75 25	
race, saddle and carriage horses,				260 00	2 60	
Gold and silver plate,				140 00	2 80	
1 piano,				200 00	60	
2 toll bridges or ferries,				400 00	1 00	
1 stallion,				6 00	6 00	
1 jack,				5 00	5 00	

1,838 slaves under 60 years, - - - -		1,102 80	
272 white polls, - - - - -		136 00	
	99,459 70	1,652 00	State tax on personal estate.
		1,934 20	Total State tax.

Statement continued—*Newton county*,

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Lands taxable in 1846,	156,230	$224,040 65	$1 43½		$560 61	State tax on real estate
" " " 1848,	720	1,236 34	1 71½			
" " after 1848,	1,280	466 00	36⅓			
" belonging to the State,	1,924	1,409 81	73¾			
School lands,	8,160	2,144 00	26¼			
Vacant lands,	193,518	33,384 10	17			
	361,832	262,680 90	73			
Money loaned at interest,				$1,797 90	5 39	
Merchandize sold by merchants,				12,435 10	37 30	
2 pleasure carriages,				309 50	3 09	
16 watches,				349 50	3 49	
106 clocks,				1,257 50	12 57	
3 Bowie kives,					3 00	
8 pistols,					16 00	
2,556 cattle over 20 head,					25 56	
6 race, saddle and carriage horses,				375 00	3 75	
5 stallions,				29 00	29 00	

2 jacks,	10 00	10 00	
840 slaves,		504 00	
435 white polls,		217 50	
	$16,563 50	870 67	State .ax on personal property.
		$1,431 28	

Statement continued—*Noxubee county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land now taxable,	386,177	$2,071,482 00	$5 36			
Town lots,		70,490 00			$5,354 93	State tax on real estate.
Land taxable in 1847,	2,200	6,740 00	3 06¼			
" " " 1848,	1,440	5,320 00	3 70			
" " after 1848,	1,600	4,000 00	2 50			
Lands belonging to the state,	1,331	1,100 00	82½			
School land,	4,880	9,000 00	1 84½			
Vacant land,	96,138	52,835 00	55			
	493,666	$2,220,967 00	$4 50			
Money loaned at interest,				$24,873 00	74 61	
Merchandize sold by merchants,				138,823 00	416 46	
Merchandize sold at auction,				20 00	40	
139 pleasure carriages,				24,795 00	247 95	
141 watches,				7,458 00	74 58	
211 clocks,				2,972 00	29 72	
6 bowie knives					6 00	
37 pistols,					74 00	
3268 cattle above 20 head,					32 68	

97 race, saddle and carriage horses,	7,204 00	72 04	
22 pianos,	3,825 00	11 47	
3 bridges or ferries,	1,070 00	2 17	
4 stallions,	42 00	42 00	
4 jacks,	23 00	23 00	
1 free male negro,		1 50	
10,105 slaves under 60 years old,		6,063 00	
1100 free polls,		550 00	
	$211,105 00	$7,722 30	State tax on personal property.
		$13,077 23	Total State tax.

Statement continued—*Neshoba county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Lands taxable in 1846,	180,130	$209,267 00	$1 16		$522 91	State tax on real estate.
" " " 1847,	380	1,601 37	4 21⅓			
" " " 1848,	1,384	2,762 30	2 00			
" " after 1848,	479	1,578 43	3 29¼			
" belonging to the State,	9,303	5,457 61	58¾			
School lands,	7,702	4,180 00	54			
Vacant lands,	186,988	83,248 24	44½			
	386,366	$308,094 95	80			
Money loaned at interest,				$2,957 00	8 97	
Merchandize sold by merchants,				24,237 00	72 71	
9 pleasure carriages,				1,105 00	11 05	
85 watches,				1,111 00	11 11	
121 clocks.				1,653 00	16 53	
7 pistols,					24 13	
2413 cattle over 20 head,					14 00	
13 race, saddle and carriage horses,				865 00	8 65	
2 pianos,				495 00	1 48	
1 stallion,				5 00	5 00	

813 slaves under 60 years old,		487 80	
397 white polls,		198 50	
		$860 48	State tax on personal property.
		$1,383 29	Total State tax.

Statement Continued.—*Oktibbeha County.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	318,935	$788,192 79	2 47		$1,968 97	State tax on real estate.
" " after 1848,	2,963	3,698 83	1 28			
" belonging to the State,	3,463	4,780 54	1 38			
School lands,	3,830	4,160 00	1 08⅔			
Vacant lands,	40,435	24,279 93	60			
	369,626	825,112 09	2 23			
Money loaned at interest,				$27,480 00	82 44	
Merchandize sold by merchants,				34,740 00	104 22	
64 pleasure carriages,				10,875 00	108 75	
219 watches,				4,672 00	46 72	
217 clocks,				2,333 00	23 33	
25 pistols,					50 00	
1870 cattle over 20 head,					18 70	
54 race, saddle and carriage horses,				4,125 00	41 25	
11 pianos,				2,415 00	7 24	
5 stallions,				28 00	28 00	
5 jacks,				25 00	25 00	
5 free male negroes,					7 50	

3704 slaves under 60 years, : : : :		2,222 40	
651 white polls, : : : :		325 50	
	86,698 00	3,091 05	State tax on personal [estate.
		5,060 02	State tax, total.

Statement Continued—*Pontotoc County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY,	STATE TAX.	REMARKS.
Land taxable in 1846,	573,120	$1,375,628 00	2 40		$ 3440 27	State tax on real estate
Land not yet taxable,	2,240	960 00	42¾			
Vacant land,	640	not valued				
	576,000	1,376,588 00	2 39			
Money loaned at interest, - - - -				$8,342 97	25 02	
Merchandize sold by merchants, - - -				82,620 51	247 86	
21 pleasure carriages, - - - -				3,490 00	34 90	
39 watches, - - - - -				1,700 00	17 00	
157 clocks, - - - - -				1,854 00	18 54	
3 bowie knives, - - - - -					3 00	
16 pistols, - - - - -					32 00	
676 cattle over 20 head, - - - -					6 76	
20 race, saddle and carriage horses, - - -				1,640 00	16 40	
5 pianos, - - - - -				1,250 00	3 75	
1 stallion, - - - - -				10 00	10 00	
3 jacks, - - - - -				11 00	11 00	

2991 slaves under 60 years, - - -		1,794 60	
1268 white polls, - - - - -		634 00	
	100,918 48	3,181 30	State tax on personal [property.
		6,621 57	Total State tax.

Statement Continued.—*Panola County.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	344,152	$1,415,153 54	$4 11		$3,537 88	State tax on real estate.
" " " 1847,	12,728	4,261 00	33½			
" " " 1848,	3,790	4,005 10	1 05½			
" " after 1848,	14,457	45,411 16	3 14			
Belonging to the State,	12,024	14,807 75	1 23			
School lands,	7,848	14,299 75	1 82			
Vacant lands,	88,602	60,761 75	58			
	483,601	$1,558,700 05	$3 22½			
Money loaned at interest,				$57,474 08	172 42	
Merchandize sold by merchants,				73,222 54	219 67	
72 pleasure carriages,				11,875 00	118 75	
146 watches,				6,796 00	67 96	
213 clocks,				1,750 00	17 50	
3 Bowie knives,					3 00	
26 pistols,					52 00	
2,343 cattle over 20 head,					23 43	
83 race, saddle or carriage horses,				5,942 50	59 42	
Gold and silver plate,				191 00	4 77	

10 pianos,	1,915 00	5 74	
6 toll bridges or ferries,	2,050 00	5 12	
8 stallions,	51 00	51 00	
3 jacks,	19 00	19 00	
8 free male negros,		4 50	
4,723 slaves under 60 years,		2,883 80	
785 white polls,		392 50	
	$161,296 08	$4,050 60	State tax on personal [estate.
		$7,588 48	Total State tax.

Statement continued—*Pike County.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	107,269	$317,073 45	$2 95⅓		$792 68	State tax on real estate.
Land taxable in 1847,	157	657 00	6 00			
" " " 1848,	80	210 00	2 62½			
" " after 1848,	2,038	6,434 00	3 15⅔			
School lands,	11,900	8,361 00	70¼			
Vacant lands,	404,794	84,078 00	20¾			
	526,238	416,813 45	79			
Money loaned at interest,				$39,435 72	118 31	
Merchandize sold by merchants,				34,694 82	103 08	
Merchandize sold at auction,				135 00	3 35	
16 pleasure carriages,				2,305 00	23 05	
70 watches,				2,533 00	25 33	
250 clocks,				3,227 50	32 27	
2 Bowie knives,					2 00	
11 pistols,					22 00	
2,022 head of cattle over 20 head,					20 22	
22 race, saddle or carriage horses,				1,767 50	17 67	
Gold and silver plate,				20 00	40	

4 pianos,	950 00	2 85	
1 toll bridge or ferry,	65 00	16	
4 stallions,	19 00	19 00	
4 free male negroes,		6 00	
2,658 slaves under 60 years old,		1,594 80	
651 white polls,		325 50	
	85,152 54	2,658 65	State tax on persoal estate.
		3,451 33	Total State tax.

Statement continued.—*Perry County.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	39,999	$38,754 00	$ 96¾		$96 88	State tax on real estate.
" " " 1847,	120	120 00	1 00			
" " " 1848,	240	240 00	1 00			
" " after 1848,	160	160 00	1 00			
Belonging to the State,	1,009	422 00	42¾			
School lands,	19,776	4,191 00	21			
Vacant land,	650,534	88,203 70	10½			
	711,838	132,090 70	18¾			
Money loaned at interest, - - - - -				$3,682 00	10 04	
Merchandize sold by merchants, - - - -				1,445 00	4 33	
4 pleasure carriages, - - - - -				260 00	2 60	
13 watches, - - - - - -				308 00	3 08	
60 clocks, - - - - - -				498 50	4 98	
6 pistols, - - - - - -					12 00	
4 race, saddle and carriage horses, - - -				340 00	3 40	
3 bridges or ferries, - - - - -				180 00	45	
1 stallion, - - - - - -				5 00	5 00	
7,798 cattle over 20 head, - - - -					77 98	

1 free male negro,		1 50	
544 slaves under 60 years,		326 40	
203 white polls,		101 50	
	6,718 00	559 25	State tax on personal estate.
		656 13	Total State tax.

Statement continued.—*Rankin county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Taxable land in 1846,	353,814	$949,279 97	2 68		$2,371 99	Land tax ¼ of 1 pr cent
" " 1848,	240	721 17	3 00			
" after 1848,	2,021	8,030 67	3 97			
Belonging to the State,	8,924	25,218 30	2 83			
School lands,	13,440	61,510 00	4 57			
Vacant lands,	126,258	136,542 50	1 08			
	504,697	181,302 61	2 34			
Merchandize sold,				$19,991 00	59 97	Ad val. tax 3-10 1 pr ct
Money loaned at interest,				1,910 00	5 73	" " " "
18 pleasure carriages,				2,045 00	20 45	" " 1 per cent.
57 watches,				2,238 00	22 38	" " " "
165 clocks,				2,268 00	22 68	" " " "
2 bowie knives,					2 00	Specific tax $1 each,
9 pistols,					18 00	" " $2 each,
1,580 cattle over 20 head,					15 80	" " 1 ct each
16 saddle and race horses,				1,220 00	12 20	Ad val. tax 1 pr ct each
3 pianos,				600 00	1 80	" " 3-10 of 1 pr ct
Silver plate over $50,				50 00	1 00	" " 2 per cent.

4 stallions,	25 00	25 00	" " price of season
2 jacks,	9 00	9 00	" " " "
629 white polls,		314 50	Specific tax 50 cts each
2,431 slaves,		1,458 60	" " 60 " "
	30,356 00	1,990 46	Tax on personal property.
		4,362 45	Total state tax.

Statement continued—*Smith county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	60,556	$133,177 22	$2 19¾		$332 94	State tax on real estate.
School lands,	12,800	10,400 00	81¼			
Vacant land,	384,551	182,056 00	47⅓			
	457,907	$325,633 00	71			
Money loaned at interest,				$3,079 00	9 24	
Merchandize sold by merchants,				9,845 00	29 53	
6 pleasure carriages,				530 00	5 30	
31 watches,				903 00	9 03	
223 clocks,				3,165 00	31 65	
2 bowie knievs,					2 00	
15 pistols,					30 00	
2393 cattle over 20 head,					23 93	
18 race, saddle and carriage horses,				1,260 00	12 60	
2 stalions,				11 00	11 00	
2 jacks,				10 09	10 00	

756 slaves		453 60	
405 white polls,		202 50	
			[property.
	$18,803 00	$830 38	State tax on personal
		$1,163 32	Total state tax.

Statement continued—*Sunflower county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	121,820	$272,115 02	$2 23⅓		$678 04	State tax on real estate.
" " 1848,	1,475	12,538 52	8 50			
" " after 1848,	2,142	17,425 00	8 13½			
Belonging to the State,	136,473	170,764 78	1 25			
School lands,	16,377	21,494 46	1 31			
Vacant land,	276,912	220,740 20	80			
	555,199	$715,077 98	$1 28¾			
Merchandize sold by merchants,				$75 00	21	
1 pleasure carriage,				250 00	2 50	
9 watches,				270 00	2 70	
11 clocks,				172 00	1 72	
7 pistols,					14 00	
260 cattle over 20 head,					2 60	
5 race, saddle or carriage horses,				195 00	1 95	
1 piano,				150 00	45	
2 toll-bridges and ferries,				125 00	31	

399 slaves under 60 years old,		239 40	
142 white polls,		71 00	
	$1,237 00	$ 337 44	State tax on personal property.
		$1,015 48	Total State tax.

Statement continued.—*Simpson county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	73,129	$124,140 05	1 69⅔		$311 27	Tax on real state.
" " 1847,	120	150 00	1 25			
" " 1848,	670	890 00	1 32¾			
" " after 1848,	1,800	2,752 00	1 53			
School lands,	9,710	2,925 00	30			
Vacant lands,	283,992	76,823 00	23½			
	369,421	207,680 05	56¼			
Money loaned at interest,				$ 10,093 00	30 28	
Merchandize sold by merchants,				6,513 00	19 54	
4 pleasure carriages,				475 00	4 75	
23 watches,				855 00	8 55	
163 clocks,				2,061 00	20 61	
3 pistols,					6 00	
1,509 cattle over 20 head,					15 09	
3 race, saddle or carriage horses,				250 00	2 50	
2 stallions,				11 00	11 00	

1187 slaves under 60 years old,		712 20	
384 white polls,		192 00	
	20,258 00	1,022 51	State tax on personal [estate.
		1,333 78	Total State tax.

Statement continued—*Scott County.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Lands taxable in 1846,	199,792	$319,393 00	1 60			
" " 1847,	40	80 00	2 00			
" " 1848,	120	150 00	1 25			
" " after 1848,	62	77 50	1 25			
" belonging to the State,	8,073	4,915 00	60			
School lands,	9,600	9,464 00	98½			
Vacant lands,	169,226	39,556 00	23⅓		$798 48	State tax on real estate.
	386,913	373,635 50	96½			
Money loaned at interest,				$ 1,053 88	3 16	
Merchandize sold by merchants,				27,425 62	82 27	
12 pleasure carriages,				1,085 26	10 85	
12 watches,				1,018 00	10 18	
161 clocks,				2,644 50	26 44	
4 pistols,					8 00	
1,033 cattle over 20 head,					10 38	
6 head of saddle, race horses, &c				565 00	5 65	
1 bridge or ferry,				1,200 00	3 00	
3 stallions,				19 00	19 00	

1 free male negro,		1 50	
800 slaves under 60 years old,		480 00	
373 white polls,		186 50	
			[property.
	35,011 26	487 04	State tax on personal
		1,645 52	Total state tax.

Statement continued.—*Tishemingo county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	503,628	$905,788 50	$1 79¾		$2,264 56	State tax on real estate.
" " " 1847,	64,391	46,952 87	73			
" " " 1848,	16,307	12,417 00	76			
" " after 1848,	40,804	21,863 25	53½			
Vacant land,	89,108	13,398 75	15			
	714,238	1,000,420 37	1 40			
Money loaned at interest,				$6,352 00	18 05	
Merchandize sold by merchants,				104,256 00	312 77	
30 pleasure carriages,				2,360 00	23 60	
100 watches,				2,317 50	23 17	
488 clocks,				3,924 75	39 24	
4 bowie knives,					4 00	
40 pistols,					80 00	
869 cattle over 20 head,					8 69	
48 race, saddle and carriage horses,				2,400 00	24 00	
3 pianos,				450 00	1 35	
4 toll bridges and ferries,				4,300 00	10 75	
13 stallions,				48 00	48 00	

5 jacks,	12 50	12 50	
1 free male negro,		1 50	
1,265 slaves under 60 years,		759 00	
1,494 white polls,		747 00	
	126,420 75	2,116 25	State tax on personal property.
		4,380 81	Total State tax.

Statement continued.—*Tippah county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	474,948	$1,260,023 30	$2 44¼		$3,150 07	State tax on real estate
" " " 1847,	67,380	7,800 75	11½			
" " " 1848,	960	720 00	75			
" " after 1848,	42,410	7,339 00	17⅓			
Vacant land,	52,940	7,708 00	14½			
	638,638	1,283,590 75	2 01			
Money loaned at interest,				$15,501 00	46 50	
Merchandize sold by merchants,				104,917 00	314 75	
41 pleasure carriages,				4,883 00	48 83	
142 watches,				4,405 00	44 05	
644 clocks,				5,069 00	50 69	
2 bowie knives,					2 00	
21 pistols,					42 00	
932 cattle over 20 head,					9 32	
37 race, saddle and carriage horses,				2,665 00	26 65	
6 pianos,				1,450 00	4 35	
1 toll bridge,				1,600 00	4 00	
15 stallions,				63 00	63 00	

9 Jacks,	27 50	27 50	
1 free male negro,		1 50	
3,443 slaves,		2,065 80	
1,796 white polls,		898 00	
	140,580 50	3,646 89	State tax on personal property.
		6,796 96	Total State tax.

Statement continued—*Tallahatchie county,*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Lands now taxable,	124,921	$346,231 14	$2 77		$860 70	State tax on real estate
" " in 1847,	1,819	5,646 69	3 10⅓			
" " 1848,	4,176	13,931 30	3 33¾			
" " after 1848,	5,932	27,944 34	4 71			
" belonging to the State,	103,966	129,754 60	1 24¾			
School lands,	34,200	32,537 27	95			
Vacant lands,	290,789	29,131 86	10			
	565,803	585,177 20	1 03½			
Money loaned at interest,				$1,395 00	4 18	
Merchandize sold by merchants,				7,446 00	22 39	
15 pleasure carriages,				2,045 00	20 45	
47 watches,				2,145 00	21 45	
84 clocks,				864 00	8 64	
1 Bowie knife,					1 00	
12 pistols,					24 00	
1,522 cattle over 20 head,					15 22	
29 race, saddle and carriage horses,				1,840 00	18 40	
Gold and silver plate over $50,				40 00	80	

4 pianos,	550 00	1 65	
2 stallions,	14 00	14 00	
3½ jacks,	17 00	17 00	
3 free male negroes,		4 50	
1,953 slaves under 60 years,		1,171 80	
459 white polls,		224 50	
	16,356 00	1,575 12	State tax on personal property.
		2,435 82	Total State tax.

Statement continued.—*Tunica county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	131,664	$477,640 42	$3 55		$1,199 45	State tax on real estate
" taxable in 1847,	3,758	6,549 60	1 74¼			
" " 1848,	1,963	2,282 20	1 16¼			
" " after 1848,	143,763	178,531 38	1 24			
Vacant lands,	64,330	30,688 00	47¾			
	345,478	695,691 60	2 01½			
Money loaned at interest,				$100 00	30	
Merchandize sold by merchants,				25 00	7	
5 watches,				120 00	1 20	
5 clocks,				100 00	1 00	
2 pistols,					4 00	
825 cattle over 20 head,					8 25	
1 piano,				400 00	1 20	
2 toll bridges or ferries,				600 00	1 50	

393 slaves under 60 years,		235 00	
77 white polls,		38 50	
	1,345 00	291 82	State tax on personal estate.
		1,491 27	Total State tax.

Statement Continued.—*Wayne County.*

ITEMS OF TAXATION.	NO. OF ACRES OF LAND.	VALUE OF LAND.	AVERAGE VALUE PER ACRE.	VALUE OF PERSONAL PROPERTY.	STATE TAX.	REMARKS.
Land taxable in 1846,	58,393	$82,067 06	1 40½		$205 16	State tax on real estate
School lands,	14,942	6,362 00	42½			
Vacant land,	401,120	100,207 10	25			
	474,455	$188,636 16	40			
Money loaned at interest,				$2,250 00	6 75	
5 pleasure carriages,				540 00	5 40	
20 watches,				578 00	5 78	
66 clocks,				738 00	7 38	
13 race, saddle and carriage horses,				815 00	8 15	
7 pistols,					14 00	
4,887 cattle over 20 head,					48 87	
2 pianos,				300 00	90	
1 toll bridge or ferry,				120 00	30	
4 stallions,				31 50	31 50	
1 jack,				7 00	7 00	

1,211 slaves under 60 years, - - - -		726 60	
190 white polls, - - - - -		95 00	
	5,379 50	957 60	State tax on personal estate.
		1,162 76	Total State tax.

Statement continued—*Winston county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	293,984	$511,279 45	$1 74		$1,302 13	State tax on real estate.
" " " 1847,	541	1,301 50	2 40½			
" " " 1848,	1,320	4,680 00	3 54½			
" " after 1848,	4,886	8,286 25	1 70			
Belonging to the State,	8,874	9,572 75	1 08			
School lands,	10,090	8,718 00	86⅓			
Vacant lands,	123,914	49,132 00	39⅔			
	443,603	$592,969 95	1 33½			
Money loaned at interest,				$8,521 00	25 56	
Merchandize sold by merchants,				72,625 00	217 87	
Merchandize sold at auction,				52 00	1 30	
56 pleasure carriages,				7,335 00	73 35	
79 watches,				3,869 00	38 69	
172 clocks,				2,221 00	22 21	
5 bowie knives,					5 00	
16 pistols,					32 00	
1656 cattle over 20 head,					16 56	
30 race, saddle and carriage horses,				2,425 00	24 25	

Gold and silver plate,	10 00	20	
8 pianos,	1,520 00	4 56	
1 toll bridge or ferry,	200 00	50	
7 stallions,	47 00	47 00	
1 jack,	6 00	6 00	
2 free male negroes,		3 00	
2194 slaves under 60 years old,		1,316 40	
691 white polls,		345 50	
	$98,831 00	$2,179 60	State tax on personal estate.
		$3,481 73	Total State tax.

Statement Continued—*Wilkinson County.*

Items of taxation, &c.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land taxable in 1846,	264,245	$1,816,815 00			$5,115 73	State tax on real estate.
Town lots,		229,385 00			132 55	
" " " 1847,	1,406	4,156 50				Additional assessment
" " " 1848,	123	578 00			5,248 28	of 9,398 acres land.
" " after, 1848,	1,098	3,323 00				
School land,	7,282	18,452 67				
Vacant land,	120,994	49,617 40				
	395,148	2,122,027 57	5 37			
Money loaned at interest,				$88,572 00	265 72	
Merchandize sold by merchants,				175,960 00	527 88	
161 pleasure carriages,				25,396 00	253 96	
323 watches,				19,438 00	194 38	
302 clocks,				5,985 00	59 85	
1 ten pin alley,				10 00	10 00	
10 Bowie knives,					10 00	
133 pistols,					266 00	
7,204 head of cattle over 20 head,					72 04	
375 race, and saddle horses, &c.				29,295 00	292 95	

Gold and silver plate above $50,	1,180 00	23 60	
64 pianos,	12,010 00	36 30	
1 bridge and ferry,	440 00	1 10	
5 stalions,	53 00	53 00	
1 jack,	8 00	8 00	
6 free male negroes,		9 00	
11,200 slaves under 60 years,		6,720 00	
738 white polls,		369 00	
	358,347	9,242 26	Total tax on personal property inclusive of a small add'l assesment
		14,490 54	

Statement continued—*Washington County.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre	Value of personal property.	State tax.	Remarks.
Lands now taxable,	495,864	$2,914,487 00	5 88		$7286 22	State tax on real estate
" belonging to the State,	20,671	57,460 00	2 78			
School lands,	20,682	47,753 00	2 31			
Vacant lands,	190,517	190,517 00	1 00			
	727,734	3,210,217 00	4 41			
Money loaned at interest,				$36,561 00	109 68	
Merchandize sold by merchants,				7,600 00	22 80	
Merchandize sold at auction,				500 00	12 50	
9 pleasure carriages,				825 00	8 25	
119 watches,				7,967 00	79 67	
21 clocks,				253 00	2 53	
3 bowie knives,					3 00	
43 pistols,					86 00	
3475 cattle over 20 head,					34 75	
103 race, saddle, and carriage horses,				6,865 00	68 65	
Gold and silver plate over $50,				550 00	11 00	
13 pianos,				2,340 00	6 02	
1 stallion,				10 00	10 00	

3 jacks,	15 00	15 00	
5 free male negroes,		7 50	
6,171 slaves under 60 years old,		3,702 60	
188 white polls,		94 00	
	63,486 00	4,264 95	State tax on personal estate.
		11,561 17	Total State tax.

Statement continued—*Warren county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Lands taxable in 1846,	339,507	$3,296,725 00	$9 71		$8,285 22	State tax on real estate.
" " " 1848,	183	228 75	1 25			
Belonging to the State,	242½	3,634 50	15 02			
School lands not taxable,	5,215	9,680 25	1 85			
Vacant lands,	33,552	41,910 00	1 25			
Town lots not included above,		16,450 00				
	378,699	3,368,628 50	8 89			
Money loaned at interest,				$281,784 33	845 35	3-10 of 1 per cent.
Merchandize sold by merchants,				1,239,026 00	3,717 09	" " " "
Merchandize sold at auction,				12,472 00	311 80	2½ per cent.
178 pleasure carriages,				25,395 00	253 95	1 per cent.
619 watches,				34,759 00	347 59	1 " "
279 clocks,				3,303 00	33 03	1 " "
3 ten pin alleys,					30 00	$10 each.
26 Bowie knives,					26 00	$1 each.
199 pistols,					398 00	$2 each.
8394 cattle over 20 head,					83 94	1 cent each.
429 saddle and race horses,				26,135 00	261 35	1 per cent.

Gold and silver plate over $50	3,880 00	77 60	2 per cent.
92 pianos,	17,185 00	51 55	3-10 of 1 per cent.
4 toll bridges and ferries,	2,420 00	6 05	¼ of 1 per cent.
4 stallions,	42 00	42 00	price of season.
4 jacks,	9 50	9 50	" " "
3 free male negroes,		4 50	$1 50 each.
10,627 slaves under 60 years,		6,376 20	60 cents each.
1,141 white polls,		520 50	50 cents each.
		13,480 04	
	1,646,410 83	21,765 26	Total State tax.

Statement continued—*Yallobusha county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Land now taxable,	403,241	$1,019,052 27	$2 52½		$2,569 12	State tax on real estate.
Land taxable in 1847,	813	1,650 97	2 03			
" " " 1848,	20,148	35,492 53	1 76			
" " after 1848,	20,073	36,155 76	1 80			
Lands belonging to the state,	10,325	34,125 21	3 30½			
School land,	1,605	1,868 06	1 16			
Vacant land,	161,412	91,275 95	56½			
	617,617	1,209,620 75	1 96			
Money loaned at interest,				$8,231 37	24 69	
Merchandize sold by merchants,				243,450 02	730 35	
65 pleasure carriages,				7,263 00	72 63	
212 watches,				8,636 00	86 36	
478 clocks,				6,134 00	61 34	
3 bowie knives					3 00	
32 pistols,					64 00	
2201 cattle above 20 head,					22 01	
81 race, saddle or carriage horses,				5,220 00	52 20	
Gold and silver plate over $50,				20 00	40	

9 pianos, - : : : : : :	1,970 00	5 91	
2 bridges or ferries, : : : : : :	1,500 00	3 75	
10 stallions, : : : : : : :	77 00	77 00	
1 free male negro, : : : : : :		1 50	
6,640 slaves under 60 years old, : : : :		3,984 00	
1,331 white polls, : : : : : :		665 50	
	288,501 39	5,854 79	State tax on personal property.
		8,423 91	Total State tax.

Statement continued—*Yazoo county.*

Items of taxation.	No. of acres of land.	Value of land.	Average value per acre.	Value of personal property.	State tax.	Remarks.
Lands taxable in 1846,	398,812	$1,666,192 78	$4 17¾		$4,924 40	State tax on real estate.
State lands,	17,611	52,472 27	2 98			
School lands,	6,810	25,027 50	3 67½			
Town lots,		293,338 00				
Vacant lands,	50,754	50,754 00	1 00			
	473,997	1,959,530 78				
Town lots additional,		8,025 00				
		1,967,555 78	4 15			
Money loaned at interest,				$33,675 00	101 02	
Merchandize sold by merchants,				430,284 00	1,290 85	
Bank stock,				829,255 00	2,073 14	
148 pleasure carriages,				18,900 00	189 00	
229 watches,				13,135 00	131 35	
241 clocks.				3,937 00	39 37	
4 ten-pin alleys,				40 00	40 00	
5 Bowie knives,					5 00	

63 pistols,		126 00	
6632 cattle over 20 head,		66 32	
199 horses, saddle race, &c.,	12,855 00	128 55	
Gold and silver plate,	150 00	3 00	
27 pianos,	6,310 00	18 93	
3 stallions,	21 00	21 00	
4 free male negroes,		6 00	
8,669 slaves under 60 years old,		5,201 40	
856 white polls,		428 00	
	1,348,562 00	8,946 15	State tax on persoal estate.
		13,870 55	Total State tax.

Statement showing the a

Counties.	No. of acres taxable in 1846.	Value of lands taxable in 1846.	No of additional acres taxable in 1847.	Value of lands taxable in 1847.	No of additional acres taxable in 1848.	Value of lands taxable in 1848.	Additional No. of acres taxable after 1848.	Value of lands taxable after 1848.	No. of acres of vacant land.	Value of vacant land.	No. of acres of land belonging to the State.	Value of lands belonging to the State.	No. of acres of
Adams,	239,151	$3,417,197 00		$	319	$ 398 00	1,040	$ 1,643 00	20,832	$ 9,877 62		$	6
Attala,	282,677	535,448 00	4,545	21,508 00	4,166	14,728 00	5,946	21,919 00	163,625	94,214 00	18,110	24,673 00	10
Amite,	232,927	661,866 57	84	319 12			1,273	3,295 63	224,315	56,078 77			11
Claiborne,	277,383	1,654,040 25					317	1,310 00	17,647	9,740 00			4
Carroll,	477,676	1,535,012 09	357	446 25	1,007	8,658 71	2,052	12,043 49	136,475	25,157 73	2,439	5,360 57	14
Copiah,	292,875	731,814 46	160	600 00	79	129 55	1,321	3,257 55	248,893	79,130 02	129	257 52	14
Chickasaw,	502,275	1,191,092 00	2,077	1,436 26	1,360	4,240 60	64,094	95,908 25	84,373	51,739 75			
Choctaw,	333,093	558,582 40					8,740	13,716 00	221,060	136,402 40	4,830	6,800 00	12
Clarke,	71,345	168,294 83			411	809 78	2,426	5,691 00	338,951	89,921 88			9
Covington,	47,358	113,891 00			80	240 00	560	1,380 00	301,425	33,431 00			12
Coahoma,	61,341	284,555 92	2,227	15,324 26			21,908	173,414 09	346,774	658,911 11	790	2,689 93	13
Bolivar,	277,602	762,364 00	515	1,848 66	1,357	4,952 97	7,188	36,830 07	170,916	171,340 71	88,395	174,346 77	37
De Soto,	522,468	2,069,780 00											
Franklin,	144,554	338,058 33			469	1,593 00	1,085	2,341 88	236,565	28,039 24	77	38 51	8
Green,	28,772	59,763 75			555	1,066 50	285	295 00	505,295	24,181 05			14
Holmes,	394,217	1,400,196 49	453	1,500 00	336	2,712 00	1,872	7,559 80	152,636	85,034 50			6
Hinds,	522,382	2,157,435 00			920	2,760 00			8,611	10,174 00	1,850	5,400 00	11
Harrison,	34,717	346,260 53	120	181 00	572	1,045 17	606	1,625 28	586,503	120,245 16			18
Hancock,	56,856	199,609 39					617	2,705 00	519,000	51,900 00			
Issaquena,	268,196	1,756,782 00			2,731	17,593 00	748	2,078 00	322,420	531,624 00	6,402	39,540 00	17
Jefferson,	239,702	1,353,810 35					240	320 00	60,151	44,983 00			8
Jasper,	148,410	260,606 00			960	1,200 00	6,240	8,360 00	256,147	64;037 00			9
Itawamba,	442,984	676,210 00	26,870	18,724 00	477	119 00	52,735	38,811 00	35,784	8,562 00			
Jones,	13,605	13,756 68	160	200 00			398	414 00	407,061	22,511 12			10
Jackson,	82,691	140,864 84			120	210 00	395	815 00	471,289		1,345	672 50	12
Kemper,	239,241	512,420 50	480	1,600 00	4,202	10,919 50	9,480	23,710 00	224,255	128,966 00			1
Lowndes,	376,406	1,993,837 00	120	290 00	912	3,506 00			2,472	2,312 90			
Lafayette,	475,444	941,178 80	960	2,960 00	488	120 00	5,280	5,400 00	4,320	976 00	800	6,440 00	
Leake,	234,966	371,947 00							128,840	46,919 00	360	360 00	
Lauderdale,	122,920	383,927 89	320	2,108 12	7,990	28,013 56	3,701	12,173 12	293,448	61,220 40	324	415 00	
Lawrence,	127,036	297,793 50	270	940 00	320	1,240 00	1,113	2,629 00	432,414	125,824 00			1
Madison,	429,696	2,357,960 50											
Marshall,	428,905	2,330,030 00	160	640 00	1,760	2,480 00							
Monroe,	356,633	1,953,674 66	360	3,490 00	160	320 00	3,391	5,997 75	97,735	9,772 00			
Marion,	81,759	106,142 48					681	721 00	819,911	*164,938 02*			2
Newton,	156,230	224,040 65			720	1,236 34	1,280	466 00	193,518	33,384 10	1,924	1,409 81	
Noxubee,	386,177	2,071,482 00	2,200	6,740 00	1,440	5,320 00	1,600	4,000 00	96,138	52,835 00	1,331	1,100 00	
Neshoba,	180,130	209,267 00	380	1,601 37	1,384	2,762 30	479	1,578 43	186,988	83,248 24	9,303	5,457 61	
Oktibbeha,	318,935	788,192 79					2,963	3,698 83	40,435	24,279 93	3,463	4,780 54	
Pontotoc,	573,120	1,375,628 00					2,240	960 00	640				
Panola,	344,152	1,415,153 54	12,728	4,261 00	3,790	4,005 10	14,457	45,411 16	88,602	60,761 75	12,024	14,807 75	
Pike,	107,269	317,073 45	157	657 00	80	210 00	2,038	6,434 00	404,794	84,078 00			
Perry,	39,999	38,754 00	120	120 00	240	240 00	160	160 00	650,534	88,203 70	1,009	422 00	
Rankin,	353,814	949,279 97			240	721 17	2,021	8,030 67	126,258	136,542 50	8,924	25,218 30	
Smith,	60,556	133,177 22							384,551	182.056 00			
Sunflower,	121,820	272,115 02			1,475	12,538 52	2,142	17,425 00	276,912	220,740 20	136,473	170,764 78	
Simpson,	73,129	124,140 05	120	150 00	670	890 00	1,800	2,752 00	283,992	76,823 00			
Scott,	199,792	319,393 00	40	80 00	120	150 00	62	77 50	169,222	39,556 00	8,073	4,915 00	
Tishemingo,	503,628	905,788 50	64,391	46,952 87	16,307	12,417 00	40,804	21,863 25	89,108	13,398 75			
Tippah,	474,948	1,260,023 30	67,380	7,800 75	960	720 00	42,410	7,339 00	52,940	7,708 00			
Tallahatchie,	124,921	346,231 14	1,819	5,646 69	4,176	13,931 14	5,932	27,944 34	290,789	29,131 86	103,966	129,754 60	
Tunica,	131,664	477,640 42	3,758	6,549 60	1,963	2,282 20	143,763	178,531 38	64,330	30,688 00			
Wayne,	58,393	82,067 06							401,120	100,207 10			
Winston,	293,984	511,279 45	541	1,301 50	1,320	4,680 00	4,886	8,286 25	123,914	49,132 00	8,874	9,572 75	
Wilkinson,	264,245	1,816,815 00	1,406	4,156 50	123	578 00	1,098	3,323 00	120,994	49,617 40			
Washington,	495,864	2,914,487 00							190,577	190,517 00	20,671	57,460 00	
Warren,	339,507	3,296,725 00			183	228 75			33,552	41,910 00	242	3,634 50	
Yalabusha,	403,241	1,019,052 27	813	1,650 97	20,148	35,492 53	20,073	36,155 76	161,412	91,275 95	10,325	34,125 21	
Yazoo,	398,812	1,666,192 78							50,754	50,754 00	17,611	52,472 27	
	15,232,389	56,140,502 82	196,091	142,763 92	87,068	207,458 39	503,940	860.760 48	11,322,147	4,685,011 88	470,064	782,888 92	5

ving the amount of State Tax for 1846 and 1847, in the respective Counties, with the values of each item of Taxa

LAND BELONGING TO THE STATE.	VALUE OF LANDS BELONGING TO THE STATE.	No. OF ACRES OF SCHOOL LANDS.	VALUE OF SCHOOL LANDS.	TOTAL No. OF ACRES IN EACH COUNTY.	TOTAL VALUE OF LANDS IN EACH COUNTY, INCLUDING TOWN LOTS.	AVERAGE VALUE OF ALL LANDS IN EACH COUNTY, AND TOWN LOTS.	STATE TAX ON LANDS FOR 1846, AND TOWN LOTS.	ADDITIONAL LAND TAX FOR 1847.	ADDITIONAL LAND TAX FOR 1848.	ADDITIONAL LAND TAX FOR 1849.	AMOUNT OF MONEY LOANED AT INTEREST.	STATE TAX ON MONEY LOANED AT INTEREST.	AMOUNT OF MERCHANDISE SOLD BY REGULAR MERCHANTS.	STATE TAX ON MERCHANDISE SOLD BY REGULAR MERCHANTS.	AMOUNT OF BANK STOCK.	STATE TAX ON BANK STOCK.	AMOUNT OF MERCHANDISE SOLD AT AUCTION.	STATE TAX ON MERCHANDISE SOLD AT AUCT.	No. OF PLEASURE CARRIAGES.	VALUE OF PLEASURE CARRIAGES.	STATE TAX ON PLEASURE CARRIAGES.	No. OF WATCHES.	VALUE OF WATCHES.	STATE TAX ON WATCHES.	No. OF CLOCKS.
		6,180	$43,881 48	267,522	$3,472,907 10	$12 60	$8,542 99		99	4 11	$264,898 00	794 69	$1,119,806 00	$3,359 41	$4,641,100	$ 11,602 75			278	$46,960 00	$469 60	480	$31,110 00	$311 10	288
,110	24,673 00	10,880	15,200 00	489,949	727,690 00	1 48	1,338 62	53 77	36 82	54 80	6,101 00	18 30	72,945 50	218 83					26	3,185 00	31 85	58	2,614 00	26 14	208
		11,000	16,195 21	469,599	737,755 30	1 57	1,654 80	80		8 24	74,996 94	224 99	59,038 00	177 11					46	6,673 00	66 73	117	6,666 00	66 66	239
		4,788	11,288 25	300,135	2,026,493 50	6 75	4,136 60			3 25	8,294 00	24 88	258,582 00	775 74			2,408 00	60 20	126	19,270 00	192 70	321	18,985 00	189 85	213
,439	5,360 57	14,744	30,288 05	634,750	1,656,914 89	2 61	3,838 69	1 16	21 64	30 11	23,805 58	71 41	279,756 46	838 97					81	12,140 00	121 40	209	8,878 00	88 78	507
129	257 52	14,327	24,493 83	557,784	839,653 33	1 50½	1,829 51	1 50	32	8 14	3,688 00	11 06	18,818 46	56 45					30	4,101 00	41 01	83	2,760 00	27 60	332
				654,179	1,374,752 86	2 10	3,051 75	3 59	10 60	239 77	12,299 55	36 90	56,372 87	168 12					75	9,930 00	99 30	123	4,875 00	48 75	354
,830	6,800 00	12,400	15,760 00	580,123	740,680 80	1 28	1,459 92			34 29	5,832 75	17 49	42,046 09	126 14			161 70	4 04	21	1,815 00	18 15	47	1,663 00	16 63	316
		9,012	2,945 00	422,145	267,662 64	63	415 27		2 02	14 23	3,239 43	9 72	26,788 00	80 36					8	580 00	5 80	21	752 00	7 52	133
		12,160	8,384 00	361,583	159,598 50	44	290 40		60	3 45	19,710 07	59 13	9,025 00	27 07			323 00	8 17	10	820 80	8 20	36	628 80	6 28	136
790	2,639 93	13,784	31,158 85	446,824	1,166,054 16	2 61	718 10	38 31		433 53	300 00	90	8,100 00	24 30			200 00	5 00	2	200 00	2 00	32	1,580 00	15 80	46
,395	174,346 77	37,848	65,415 09	583,815	1,217,098 28	2 08	1,905 88	4 62	12 38	92 07	800 00	2 40										16	1,220 00	12 20	24
				522,468	2,114,752 00	3 96	5,286 88				22,730 81	68 19	71,346 88	214 04			100 00	2 50	95	12,854 00	128 54	149	6,894 00	68 94	356
77	38 51	8,831	3,806 68	391,581	373,877 24	96	845 05		3 98	5 85	11,380 00	34 14	7,930 00	23 79					24	3,650 00	36 50	74	3,964 00	39 64	161
		14,007	892 27	548,914	86,198 57	15¾	149 41		2 66	74	2,860 00	8 58	350 00	1 05					4	145 00	1 45	8	185 00	1 85	47
		6,720	8,000 00	556,234	1,580,004 79	2 84	3,687 79	3 75	6 78	18 90	9,275 00	27 82	123,493 00	370 48					126	15,465 00	154 65	146	8,025 00	80 25	338
,850	5,400 00	11,520	30,080 00	545,283	2,622,979 00	4 41	6,443 31		6 90		64,338 00	193 01	612,702 00	1,838 10			2,396 00	59 80	306	41,615 00	416 15	631	33,590 00	335 90	560
		18,279	4,331 46	640,797	473,688 60	74	865 65	46	2 61	4 06	10,259 00	30 75					830 00	20 75	8	520 00	5 20	21	1,057 00	10 57	35
				576,473	254,214 39	44	499 05			6 76	8,801 00	26 40	21,589 00	64 67					11	1,295 00	12 95	68	2,400 00	24 00	56
,402	39,540 00	17,509	62,817 00	618,006	2,410,434 00	3 90	4,391 95		43 98	5 19	7,150 00	21 45							4	525 00	5 25	60	3,928 00	39 28	13
		8,276	29,470 00	308,369	1,428,583 35	4 63⅓	3,384 52			80	15,032 18	45 09	199,328 18	597 98					116	20,315 00	203 15	155	10,247 00	102 47	155
		9,600	10,080 00	421,357	361,533 00	86	693 70		3 00	20 90	1,281 45	3 84	27,034 28	81 10					12	1,055 00	10 55	55	1,924 00	19 24	219
				559,852	765,450 00	1 37	1,758 06	46 81	20	97 04	20,352 00	61 05	50,577 00	151 55			500 00	12 50	9	810 00	8 10	66	1,820 50	18 20	314
		10,240	1,942 00	431,456	38,824 73	9	34 39	50		1 00	730 00	2 19	1,005 00	3 01								2	25 00	25	37
,345	672 50	12,808		568,848	142,561 84	25	335 26		30	2 04	1,800 00	5 40	8,300 00	24 90					2	350 00	3 50	21	760 00	7 60	51
		7,200	11,600 00	484,858	689,216 00	1 42	1,281 05	1 20	27 29	59 27	11,418 00	34 25	43,718 00	131 15					49	7,895 00	78 95	108	3,377 00	33 77	222
		8,960		388,870	2,026,620 00	5 21	5,192 37	72	8 76		128,058 85	384 17	371,886 77	1,115 66			16,236 00	408 15	234	41,478 00	414 78	382	18,994 00	189 94	481
800	6,440 00			487,284	957,074 80	1 96⅓	2,602 93	7 40	30	13 50	12,593 69	37 80	51,688 00	155 06					30	4,505 00	45 05	88	3,511 00	35 11	272
360	360 00	9,660	4,128 00	373,826	423,354 00	1 13	929 86				1,365 00	3 09	20,895 00	62 68					12	1,414 00	14 14	30	888 00	8 88	139
324	415 00	6,673	3,461 21	435,376	491,319 47	1 12½	959 80	5 27	70 03	30 43	6,170 22	18 51	58,223 85	174 67					31	3,167 00	31 67	32	810 00	8 10	276
		11,530	5,580 00	572,687	434,006 50	75¾	744 79	2 35	3 10	6 57	14,165 00	42 49	45,714 00	137 14					17	1,400 00	14 00	77	2,445 00	24 45	254
				429,696	2,533,095 50	5 90	6,332 73				10,089 17	30 26	177,548 00	532 64					297	44,835 00	448 35	310	17,056 00	170 50	279
			55,350 00	430,825	2,388,500 00	5 54	5,825 07	1 60	6 20		58,320 00	174 96	201,463 00	604 39	58,720	148 80			209	33,030 00	330 30	325	12,795 00	127 95	696
		640	3,230 00	458,919	2,271,520 41	4 95	5,778 26	8 72	80	14 99	56,030 00	168 09	448,355 00	1,345 06			300 00	7 50	186	26,070 00	260 70	257	12,393 00	123 93	445
		24,848	4,969 72	927,199	276,671 22	30	282 20			1 80	84,755 00	254 26	10,620 70	31 86					11	1,200 00	12 00	21	695 00	6 95	100
,924	1,409 81	8,160	2,144 00	361,832	262,680 90	73	560 61		3 09	1 16	1,797 90	5 39	12,436 10	37 30					2	309 50	3 09	16	349 50	3 49	106
,331	1,100 00	4,880	9,000 00	493,666	2,220,967 00	4 50	5,354 93	16 85	13 30	10 50	24,873 00	74 61	138,823 00	416 48			20 00	40	139	24,795 00	247 95	141	7,458 00	74 58	211
9,303	5,457 61	7,702	4,180 00	386,366	308,094 95	80	522 91	4 00	6 90	3 94	2,957 00	8 87	24,237 00	72 71					9	1,105 00	11 05	35	1,111 00	11 11	121
3,463	4,780 54	3,880	4,160 00	369,626	825,112 09	2 23	1,968 97			9 24	27,480 00	82 44	34,740 00	104 22					64	10,875 00	108 75	119	4,672 00	46 72	217
				576,000	1,376,588 00	2 39	3,440 27			2 40	8,342 97	25 02	82,629 51	247 86					21	3,490 00	34 90	39	1,700 00	17 00	157
12,024	14,807 75	7,848	14,299 75	483,601	1,558,700 05	3 22⅓	3,527 88	10 15	10 01	113 53	57,474 08	172 42	73,222 54	219 67					72	11,875 00	118 75	146	6,796 00	67 96	213
		11,900	8,361 00	526,238	416,813 45	79	792 68	1 64	52	16 08	39,435 72	118 31	34,694 82	103 08			135 00	3 37	16	2,305 00	23 05	70	2,533 00	25 33	250
1,009	422 60	19,776	4,191 00	711,838	132,090 70	18¾	96 86	30	60	40	3,682 00	11 04	1,445 00	4 33					4	280 00	2 60	13	308 00	3 08	60
8,924	25,218 30	13,440	61,510 00	504,697	1,181,302 61	2 34	2,371 99		1 80	20 07	1,910 00	5 73	19,991 00	59 97					18	2,045 00	20 45	57	2,238 00	22 38	165
		12,800	10,400 00	457,907	325,633 00	71	332 94				3,079 00	9 24	9,845 00	29 53					6	530 00	5 30	31	903 00	9 03	223
36,473	170,764 78	16,377	21,494 46	555,199	715,077 98	1 28¾	678 04		31 34	43 56			75 00	21					1	250 00	2 50	9	270 00	2 70	11
		9,710	2,925 00	369,421	207,680 05	56¼	311 27	37	1 62	4 50	10,093 00	30 28	6,513 00	19 54					4	475 00	4 75	23	855 00	8 55	163
8,073	4,915 00	9,600	9,464 00	386,913	373,635 50	96½	798 48	20	37	19	1,053 88	3 16	27,425 62	82 27					12	1,085 26	10 85	26	1,018 00	10 18	161
				714,238	1,000,420 37	1 40	2,264 56	117 38	31 04	54 66	6,352 00	19 05	104,256 00	312 77					30	2,360 00	23 60	100	2,317 50	23 17	488
				638,638	1,283,590 75	2 01	3,150 07	19 50	1 80	18 35	15,501 00	46 50	104,917 00	314 75					41	4,883 00	48 83	142	4,405 00	44 05	644
03,966	129,754 60	34,200	32,537 27	565,803	585,177 20	1 03½	860 70	14 11	34 83	69 86	1,395 00	4 18	7,446 00	22 39					15	2,045 00	20 45	47	2,145 00	21 45	84
				345,478	695,691 60	2 01½	1,199 45	16 37	5 70	443 11	100 00	30	25 00	07								5	120 00	1 20	5
		14,942	6,362 00	474,455	188,636 16	40	205 16				2,250 00	6 75							5	540 00	5 40	20	578 00	5 78	66
8,874	9,572 75	10,090	8,718 00	443,603	592,969 95	1 33½	1,302 13	3 25	11 70	20 71	8,521 00	25 56	72,625 00	217 87			52 00	1 30	56	7,335 00	73 35	79	3,869 00	38 69	172
		7,282	18,452 67	395,148	2,122,027 57	5 37	5,248 28	10 30	1 44	8 31	88,572 00	265 72	175,960 09	527 88					161	25,396 00	253 96	323	19,438 00	194 38	302
20,671	57,460 00	20,682	47,753 00	727,734	3,210,217 00	4 41	7,286 22				36,561 00	109 68	7,600 00	22 80			500 00	12 50	9	825 00	8 25	119	7,967 00	79 67	21
242	36 34 50	5,215	9,680 25	378,699	3,368,628 50	8 89	8,285 22			57	281,784 33	845 35	1,239,026 00	3,719 09			12,472 00	311 80	178	25,395 00	253 95	619	34,759 00	347 59	279
10,325	34125 21	1,605	1,808 06	617,617	1,209,620 75	1 96	2,569 12	4 10	88 73	90 39	8,231 37	24 69	243,450 02	730 35					65	7,263 00	72 63	212	8,636 00	86 36	478
17,611	52472 27	6,810	25,027 50	473,997	1,967,555 78	4 15	4,924 40				33,675 00	101 02	430,284 00	1,290 85	829,255	2,073 14			148	18,900 00	189 00	229	13,135 00	131 35	241
470,064	782,888 92	561,271	807,226 16	29,406,350	65,740,742 68	2 58⅓	146,458 47	401 14	517 62	2,146 79	1,648,021 94	4,944 06	7,356,642 15	22,069 92	5,529,075	13,822 69	36,633 70	917 98	3,572	523,609 70	5,236 08	7,249	357,496 00	3,574 94	13,130

f Taxation, and the Tax thereon, together with a Statement of the Vacant Lands and value thereof.

WATCHES.	No. OF CLOCKS.	VALUE OF CLOCKS.	STATE TAX ON CLOCKS	No. OF NINE OR TEN PIN ALLEYS.	STATE TAX ON NINE OR TEN PIN ALLEYS.	No. OF THEATRES.	STATE TAX ON THEATRES.	No. OF RACE TRACKS.	STATE TAX ON RACE TRACKS.	No. OF BOWIE KNIVES.	STATE TAX ON BOWIE KNIVES.	No. OF PISTOLS.	STATE TAX ON PISTOLS.	No. OF CATTLE OVER 20 HEAD.	STATE TAX ON CATTLE OVER 20 HEAD.	No. OF RACE, SADDLE OR CARRIAGE HORSES.	VALUE OF RACE, SADDLE OR CARRIAGE HORSES.	STATE TAX ON RACE, SADDLE OR CARRIAGE HORSES.	VALUE OF GOLD AND SILVER PLATE OVER $50.	STATE TAX ON GOLD AND SILVER PLATE OVER $50.	No. OF PIANOS.	VALUE OF PIANOS.	STATE TAX ON PIANOS.	No. OF TOLL BRIDGES AND FERRIES.	VALUE OF TOLL BRIDGES AND FERRIES.	STATE TAX ON TOLL BRIDGES AND FERRIES.	No. OF STALLIONS.	STATE TAX ON STALLIONS.	No. OF JACKS.	STATE TAX ON JACKS.	No. OF MALE FREE NEGROES.	STATE TAX ON MALE FREE NEGROES.	No. OF SLAVES UNDER 60 YEARS OLD.
10	288	$6,307 00	63 07	1	$ 10 00			1	$50 00	3	$3 00	102	$204 00	9,169	$ 91 69	576	$48,946 00	$ 489 46	$22,360	$447 20	171	$26,200 00	$79 60	2	$1,000 00	$ 2 50	2	$ 42 00	1	$ 6 00	13	$ 19 50	13,965
14	208	3,118 00	31 18	1	10 00					5	5 00	24	48 00	1,376	13 76	25	1,573 00	15 73			5	855 00	2 65	2	1,000 00	2 50	6	39 00	1	5 00			1,978
66	239	3,870 00	38 78									15	30 00	3,222	32 22	86	6,848 00	68 48			9	1,850 00	5 55				3	13 00			8	12 00	4,742
85	213	2,776 50	27 76	1	10 00					5	5 00	47	94 00	6,930	99 30	366	24,880 00	248 80	2,200	44 00	50	8,750 00	26 25	5	2,420 00	6 05	4	58 00			9	13 50	9,500
78	507	7,548 00	75 48	2	20 00					8	8 00	27	54 00	3,886	38 86	104	8,340 00	83 40	220	4 40	18	3,935 00	11 80				7	53 00	1	6 00	6	9 00	7,399
60	332	4,547 00	45 47							4	4 00	30	60 00	1,650	16 50	79	5,570 00	55 70			4	900 00	2 70				5	57 00	3	24 50	4	6 00	4,398
75	354	4,598 00	45 98							6	6 00	28	56 00	3,873	38 73	57	4,140 00	41 40			6	1,625 00	4 87	1	4,000 00	10 00	14	73 00	7	37 00	1	1 50	4,061
63	316	1,991 50	19 91							3	3 00	18	36 00	788	7 88	18	1,255 00	12 55			1	40 00	12	1	200 00	50	9	60 00	1	6 00			2,063
52	133	1,709 25	17 09	1	10 00					3	3 00	4	8 00	2,484	24 84	11	980 00	9 80			1	50 00	15				2	13 00			1	1 50	1,035
28	136	1,396 00	13 96							2	2 00	18	36 00	3,358	33 58	10	725 00	7 25			1	50 00	15	1	100 00	25	2	9 00					986
80	46	675 00	6 75	1	10 00							4	8 00	1,395	13 95	5	360 00	3 60						2	125 00	31	3	17 50			2	3 00	954
20	24	293 00	2 93									6	12 00	2,008	20 08	19	1,385 00	13 85			2	350 00	1 05										1,444
94	356	3,522 00	35 22							10	10 00	68	136 00	2,152	21 52	67	4,320 00	43 20			8	1,475 00	4 42	4	1,200 00	3 00	7	48 00	4	16 50	1	1 50	5,837
64	161	2,311 00	23 11							6	6 00	19	38 00	2,776	27 76	93	6,580 00	65 85	150	3 00	5	765 00	2 29	1	250 00	62	4	25 00	1	5 00	2	3 00	2,855
85	47	791 00	7 91											4,673	46 73	1	75 00	75						4	600 00	1 50	1	5 00					525
25	338	4,972 00	49 72	2	20 00					5	5 00	20	40 00	2,793	27 93	92	8,105 00	81 05	285	5 70	7	1,400 00	4 20	3	6,250 00	15 62	3	28 00	3	16 00	1	1 50	6,704
90	560	7,918 00	79 18	4	40 00					7	7 00	73	146 00	6,151	61 51	320	23,050 00	230 50	1,812	36 24	85	15,825 00	47 47	8	4,620 00	11 54	7	65 00	5	35 00	12	18 00	13,289
57	35	338 00	3 38	2	20 00					1	1 00	4	8 00	5,160	51 60	8	375 00	3 75	172	3 44	6	520 00	1 66	1	50 00	12					6	9 00	500
00	56	713 50	7 13							1	1 00			9,942	99 42	18	1,035 00	10 35	129	2 58	5	415 00	1 21	1	351 00	88	1	4 00	1	4 00	10	15 00	874
28	13	359 00	3 59							1	1 00	10	20 00	2,772	27 72	79	5,135 00	51 35	275	5 50	5	1,275 00	3 82	1	50 00	12							3,997
47	155	2,720 00	27 20	2	20 00					2	2 00	28	56 00	6,444	64 44	262	18,070 00	180 70	675	13 50	30	5,975 00	17 92				4	34 00			14	21 00	9,430
24	219	2,851 50	28 51							1	1 00	18	36 00	2,533	25 33	21	1,525 00	15 25									4	26 00	1	3 00			1,500
20	314	3,374 25	33 74							1	1 00	5	10 00	1,582	15 82	11	660 00	6 60									6	27 00	2	7 00	1	1 50	1,293
25	37	513 00	5 13											3,051	30 51									1	50 00	12	2	6 00					186
60	51	905 00	9 05											4,146	41 46				125	2 50	3	410 00	1 23	1	10 00	2	2	11 00			5	7 50	489
77	222	2,838 00	28 38							1	1 00	11	22 00	2,565	25 65	26	1,855 00	18 55	25	50	15	3,150 00	9 45	4	305 00	76	2	11 00					4,115
94	481	6,235 00	62 35					1	50 00	8	8 00	69	138 00	2,322	23 22	189	13,620 00	136 20	1,555	31 00	54	11,580 00	34 74	6	23,500 00	58 75	4	23 00	2	11 00	2	3 00	10,882
11	272	2,500 00	25 00							2	2 00	16	32 00	1,036	10 36	40	3,110 00	31 10	15	30	5	1,150 00	3 45	5	2,100 00	5 25	5	34 00	3	15 00	3	4 50	3,478
88	139	1,939 00	19 39									10	20 00	1,519	15 19	8	605 00	6 05			1	50 00	15	8	1,390 00	3 47	3	15 00	3	14 00			1,056
10	276	3,596 00	35 96	3	30 00					1	1 00	12	24 00	747	7 47	13	910 00	9 10	50	1 00	1	150 00	45				3	22 00			1	1 50	2,070
45	254	3,015 50	30 15							2	2 00	15	30 00	2,217	22 17	32	2,312 00	23 12	100	2 00	3	650 00	1 95	2	425 00	1 06	2	9 00			1	1 50	2,454
50	279	4,554 00	45 54							7	7 00	77	144 00	6,663	66 63	265	19,532 00	195 32	483	9 66	47	9,710 00	29 13	2	3,600 00	9 00	6	38 00	2	10 00	1	1 50	13,267
95	690	5,308 00	53 08	2	20 00					4	4 00	54	108 00	1,687	16 87	152	10,157 00	101 57	550	11 00	48	10,470 00	31 41				6	59 00	5	25 00	2	3 00	10,945
93	445	4,279 00	42 79	2	20 00					5	1 00	50	100 00	1,802	18 02	71	5,381 00	53 81	200	4 00	28	6,150 00	18 45				15	77 00	11	42 00	3	4 50	8,363
95	100	1,178 00	11 78											7,525	75 25	3	260 00	2 60	140	2 80	1	200 00	60	2	400 00	1 00	9	55 00	3	18 00	3	4 50	1,834
49	106	1,257 50	12 57							3	3 00	8	16 00	2,556	25 56	6	375 00	3 75									1	6 00	1	5 00			840
58	211	2,972 00	29 72							6	6 00	37	74 00	3,268	32 68	97	7,204 00	72 04			22	3,825 00	11 47	3	1,070 00	2 17	5	29 00	2	10 00			10,105
11	121	1,653 00	16 53									7	14 00	2,413	24 13	13	365 60	8 65			2	495 00	1 48				4	42 00	4	23 00	1	1 50	813
72	217	2,333 00	23 33									25	50 00	1,870	18 70	54	4,125 00	41 25			11	2,415 00	7 24				1	5 00					3,704
00	157	1,854 00	18 54							3	3 00	16	32 00	679	6 79	20	1,640 00	16 40			5	1,250 00	3 75				5	28 00	5	25 00	5	7 50	2,991
96	213	1,750 00	17 50							3	3 00	26	52 00	2,343	23 43	83	5,942 50	59 42	191	4 77	10	1,915 00	5 74	6	2,050 00	5 12	1	10 00	3	11 00			4,723
33	250	3,227 50	32 27							2	2 00	11	22 00	2,022	20 22	22	1,767 50	17 67	20	40	4	950 00	2 85	1	65 00	16	8	51 00	3	19 00	3	4 50	2,658
08	60	498 50	4 98									6	12 00	7,798	77 98	4	340 00	3 40						3	180 00	45	4	19 00			4	6 00	544
38	165	2,268 00	22 68							2	2 00	9	18 00	1,580	15 80	16	1,220 00	12 20	50	1 00	3	600 00	1 80				1	5 00			1	1 50	2,431
03	223	3,165 00	31 65							2	2 00	15	30 00	2,393	23 93	18	1,260 00	12 60									4	25 00	2	9 00			756
70	11	172 00	1 72									7	14 00	260	2 60	5	195 00	1 95									2	11 00	2	10 00			399
55	163	2,061 00	20 61									3	6 00	1,509	15 09	3	250 00	2 50			1	150 00	45	2	125 00	31							1,187
18	161	2,644 50	26 44									4	8 00	1,038	10 38	6	565 00	5 65									2	11 00					800
17	488	3,924 75	39 24							4	4 00	40	80 00	869	8 69	43	2,400 00	24 00						1	1,200 00	3 00	3	19 00			1	1 50	1,265
05	644	5,069 00	50 69							2	2 00	21	42 00	932	9 32	37	2,665 00	26 65			3	450 00	1 35	4	4,300 00	10 75	13	48 00	5	12 50	1	1 50	1,443
45	84	864 00	8 64							1	1 00	12	24 00	1,522	15 22	29	1,840 00	18 40	40	80	6	1,450 00	4 35	1	1,600 00	4 00	15	63 00	9	27 50	1	1 50	1,953
20	5	100 00	1 00									2	4 00	825	8 25						4	550 00	1 65				2	14 00	3	17 00	3	4 50	393
78	66	738 00	7 38									7	14 00	4,887	48 87	13	815 00	8 15			1	400 00	1 20	2	600 00	1 50							1,211
69	172	2,221 00	22 21																		2	300 00	90	1	120 00	30	4	31 50	1	7 00			2,194
38	302	5,985 00	59 85	1	10 00					5	5 00	16	32 00	1,656	16 56	30	2,425 00	24 25	10	20	8	1,520 00	4 56	1	200 00	50	7	47 00	1	6 00	2	3 00	11,200
67	21	253 00	2 53							10	10 00	133	266 00	7,204	72 04	375	29,295 00	292 95	1,180	23 60	64	12,010 00	36 30	1	440 00	1 10	5	53 00	1	8 00	6	9 00	6,171
59	279	3,303 00	33 03	3	30 00					3	3 00	43	86 00	3,475	34 75	103	6,865 00	68 65	550	11 00	13	2,340 00	6 02				1	10 00	3	15 00	5	7 50	10,627
36	478	6,134 00	61 34							26	26 00	199	398 00	8,394	83 94	429	26,135 00	261 35	3,880	77 60	92	17,185 00	51 55	4	2,420 00	6 05	4	42 00	2	9 50	3	4 50	6,640
35	241	3,937 00	39 37	4	40 00					3	3 00	32	64 00	2,201	22 01	81	5,220 00	52 20	20	40	9	1,970 00	5 91	2	1,500 00	3 75	10	77 00			1	1 50	8,669
										5	5 00	63	126 00	6,632	66 32	199	12,855 00	128 55	150	3 00	27	6,310 00	18 93				3	21 00			4	6 00	
4 94	13,130	163,952 10	1,639 47	32	320 00			2	100 00	184	184 00	1,624	3,248 00	189,521	1,895 21	4,807	347,943 00	3,478 43	37,612	753 09	912	162,010 00	516 29	100	69,866 00	174 10	256	1713 00	107	520 00	153	229 50	244,265

ith a Statement of the Vacant Lands and value thereof.

No. of cattle over 20 head.	State tax on cattle over 20 head.	No. of race, saddle or carriage horses.	Value of race, saddle or carriage horses.	State tax on race, saddle or carriage horses.	Value of gold and silver plate over $50.	State tax on gold and silver plate over $50.	No. of pianos.	Value of pianos.	State tax on pianos.	No. of toll bridges and ferries.	Value of toll bridges and ferries.	State tax on toll bridges and ferries.	No. of stallions.	State tax on stallions.	No. of jacks.	State tax on jacks.	No. of male free negroes.	State tax on male free negroes.	No. of slaves under 60 years old.	State tax on slaves.	No. of free white polls.	State tax on free white polls.	Total state tax on personal property.	Total state tax on real and personal estate.
9,169	$ 91 69	576	$48,946 00	$ 489 46	$22,360	$447 20	171	$26,200 00	$ 79 60	2	$1,000 00	$ 2 50	2	$ 42 00	1	$ 6 00	13	$ 19 50	13,965	$8,379 00	647	$ 323 50	$26,747 02	$35,289 01
1,376	13 76	25	1,573 00	15 73			5	855 00	2 65	2	1,000 00	2 50	6	39 00	1	5 00			1,978	1,186 80	880	440 00	2,094 92	3,433 54
3,222	32 22	86	6,848 00	68 48			9	1,850 00	5 55				3	13 00			8	12 00	4,742	2,845 20	512	256 00	3,846 96	5,501 76
6,930	99 30	366	24,880 00	248 80	2,200	44 00	50	8,750 00	26 25	5	2,420 00	6 05	4	58 00			9	13 50	9,500	5,700 00	670	335 00	7.861 04	12,871 43
3,886	38 86	104	8,340 00	83 40	220	4 40	18	3,935 00	11 80				7	53 00	1	6 00	6	9 00	7,399	4,439 40	1,240	620 00	6,579 82	10,418 51
1,650	16 50	79	5,570 00	55 70			4	900 00	2 70				5	57 00	3	24 50	4	6 00	4,398	2,635 20	944	472 00	3,488 79	5,318 30
3,873	38 73	57	4,140 00	41 40			6	1,625 00	4 87	1	4,000 00	10 00	14	73 00	7	37 00	1	1 50	4,061	2,436 60	1,383	691 50	3,800 65	6,852 40
782	7 82	18	1,255 00	12 55			1	40 00	12	1	200 00	50	9	60 00	1	6 00			2,063	1,237 80	1,020	510 00	2,125 32	3,585 24
2,484	24 84	11	980 00	9 80			1	50 00	15				2	13 00			1	1 50	1,035	621 00	354	177 00	992 07	1,407 34
3,358	33 58	10	725 00	7 25			1	50 00	15	1	100 00	25	2	9 00					986	591 60	303	151 50	948 33	1,238 73
1,395	13 95	5	360 00	3 60						2	125 00	31	3	17 50			2	3 00	954	572 40	366	183 00	163 45	1,581 55
2,008	20 08	19	1,385 00	13 85			2	350 00	1 05										1,444	866 40	119	59 50	990 31	2,896 19
2,152	21 52	67	4,320 00	43 20			8	1,475 00	4 42	4	1,200 00	3 00	7	48 00	4	16 50	1	1 50	5,837	3,502 20	1,280	640 00	4,942 26	10,229 14
2,776	27 76	93	6,580 00	65 85	150	3 00	5	765 00	2 29	1	250 00	62	4	25 00	1	5 00	2	3 00	2,855	1,713 00	383	196 50	2,238 87	3,083 92
4,673	46 73	1	75 00	75						4	600 00	1 50	1	5 00					525	315 00	202	101 00	490 80	640 21
2,793	27 93	92	8,105 00	81 05	285	5 70	7	1,400 00	4 20	3	6,250 00	15 62	3	28 00	3	16 00	1	1 50	6,704	4,022 40	1,036	518 00	5,448 95	9,136 74
6,151	61 51	320	23,050 00	230 50	1,812	36 24	85	15,825 00	47 47	8	4,620 00	11 54	7	65 00	5	35 00	12	18 00	13,289	7,973 40	1,676	838 00	12,432 36	18,875 67
5,160	51 60	8	375 00	3 75	172	3 44	6	520 00	1 66	1	50 00	12					6	9 00	500	300 00	235	117 50	603 61	1,469 26
9,942	99 42	18	1,035 00	10 35	129	2 58	5	415 00	1 21	1	351 00	88	1	4 00	1	4 00	10	15 00	874	524 40	306	153 00	954 38	1,453 43
2,772	27 72	79	5,135 00	51 35	275	5 50	5	1,275 00	3 82	1	50 00	12							3,997	2,398 20	148	74 00	2,677 18	7,069 14
6,444	64 44	262	18,070 00	180 70	675	13 50	30	5,975 00	17 92				4	34 00			14	21 00	9,430	5,658 00	555	277 50	7,324 40	10,708 92
2,533	25 33	21	1,525 00	15 25									4	26 00	1	3 00			1,500	900 00	558	279 00	1,439 33	2,133 03
1,582	15 82	11	660 00	6 60						1	50 00	12	6	27 00	2	7 00	1	1 50	1,293	775 80	1,264	632 00	1,704 23	3,462 29
3,051	30 51									1	10 00	2	2	6 00					186	111 60	214	107 00	269 74	304 13
4,146	41 46				125	2 50	3	410 00	1 23	4	305 00	76	2	11 00			5	7 50	489	293 40	213	106 50	525 40	860 66
2,565	25 65	26	1,855 00	18 55	25	50	15	3,150 00	9 45				4	23 00	2	11 00	2	3 00	4,115	2,469 00	967	483 50	3,373 28	4,654 33
2,322	23 22	189	13,620 00	136 20	1,555	31 00	54	11,580 00	34 74	6	23,500 00	58 75	5	34 00	3	15 00	3	4 50	10,882	6,529 20	1,266	633 90	10,282 20	15,541 37
1,036	10 36	40	3,110 00	31 10	15	30	5	1,150 00	3 45	5	2,100 00	5 25	3	15 00	3	14 00			3,478	2,086 80	991	495 50	2,993 83	5,596 76
1,519	15 19	8	605 00	6 05			1	50 00	15	8	1,390 00	3 47	3	22 00			1	1 50	1,056	633 60	480	240 00	1,051 16	1,981 02
747	7 47	13	910 00	9 10	50	1 00	1	150 00	45				2	9 00			1	1 50	2,070	1,242 00	817	408 50	2,033 91	2,993 71
2,217	22 17	32	2,312 00	23 12	100	2 00	3	650 00	1 95	2	425 00	1 06	6	38 00	2	10 00	1	1 50	2,454	1,472 40	578	289 00	2,142 50	2,887 29
6,663	66 63	265	19,532 00	195 32	483	9 66	47	9,710 00	29 13	2	3,600 00	9 00	6	59 00	5	25 00	2	3 00	13,267	7,960 20	969	484 50	10,449 94	16,782 67
1,687	16 87	152	10,157 00	101 57	550	11 00	48	10,470 00	31 41				15	77 00	11	42 00	3	4 50	10,945	6,567 00	2,254	1,127 00	9,580 28	15,405 35
1,802	18 02	71	5,381 00	53 81	200	4 00	28	6,150 00	18 45				9	55 00	3	18 00	3	4 50	8,363	5,017 80	1,438	719 00	7,699 93	13,478 19
7,525	75 25	3	260 00	2 60	140	2 80	1	200 00	60	2	400 00	1 00	1	6 00	1	5 00			1,838	1,102 80	272	136 00	1,652 00	1,934 20
2,556	25 56	6	375 00	3 75									5	29 00	2	10 00			840	504 00	435	217 50	870 67	1,431 28
3,268	32 68	97	7,204 00	72 04			22	3,825 00	11 47	3	1,070 00	2 17	4	42 00	4	23 00	1	1 50	10,105	6,063 00	1,100	550 00	7,722 30	13,077 23
2,413	24 13	13	365 60	8 65			2	495 00	1 48				1	5 00					813	487 80	397	198 50	860 38	1,383 29
1,870	18 70	54	4,125 00	41 25			11	2,415 00	7 24				5	28 00	5	25 00	5	7 50	3,704	2,222 40	651	325 50	3,091 05	5,060 02
679	6 79	20	1,640 00	16 40			5	1,250 00	3 75				1	10 00	3	11 00			2,991	1,794 60	1,268	634 00	3,181 30	6,621 57
2,343	23 43	83	5,942 50	59 42	191	4 77	10	1,915 00	5 74	6	2,050 00	5 12	8	51 00	3	19 00	3	4 50	4,723	2,883 80	785	392 50	4,050 60	7,588 48
2,022	20 22	22	1,767 50	17 67	20	40	4	950 00	2 85	1	65 00	16	4	19 00			4	6 00	2,658	1,594 80	651	325 50	2,658 65	3,451 33
7,798	77 98	4	340 00	3 40						3	180 00	45	1	5 00			1	1 50	544	326 40	203	101 50	559 25	656 13
1,580	15 80	16	1,220 00	12 20	50	1 00	3	600 00	1 80				4	25 00	2	9 00			2,431	1,458 60	629	314 50	1,990 46	4,372 45
2,393	23 93	18	1,260 00	12 60									2	11 00	2	10 00			756	453 60	405	202 50	830 38	1,163 32
260	2 60	5	195 00	1 95			1	150 00	45	2	125 00	31							399	239 40	142	71 00	377 44	1,015 48
1,509	15 09	3	250 00	2 50									2	11 00					1,187	712 20	348	192 00	1,022 51	1,333 78
1,038	10 38	6	565 00	5 65						1	1,200 00	3 00	3	19 00			1	1 50	800	480 00	373	186 00	847 04	1,645 52
869	8 69	43	2,400 00	24 00			3	450 00	1 35	4	4,300 00	10 75	13	48 00	5	12 50	1	1 50	1,265	759 00	1,494	747 00	2,116 25	4,380 81
932	9 32	37	2,665 00	26 65			6	1,450 00	4 35	1	1,600 00	4 00	15	63 00	9	27 50	1	1 50	3,443	2,063 80	1,796	898 00	3,646 89	6,796 96
1,522	15 22	29	1,840 00	18 40	40	80	4	550 00	1 65				2	14 00	3	17 00	3	4 50	1,953	1,171 80	459	224 50	1,575 12	2,435 82
825	8 25						1	400 00	1 20	2	600 00	1 50							393	235 00	77	38 50	291 82	1,490 37
4,887	48 87	13	815 00	8 15			2	300 00	90	1	120 00	30	4	31 50	1	7 00			1,211	726 60	190	95 00	957 60	1,162 76
1,656	16 56	30	2,425 00	24 25	10	20	8	1,520 00	4 56	1	200 00	50	7	47 00	1	6 00	2	3 00	2,194	1,316 40	691	345 00	2,179 60	3,481 73
7,204	72 04	375	29,295 00	292 95	1,180	23 60	64	12,010 00	36 30	1	440 00	1 10	5	53 00	1	8 00	6	9 00	11,200	6,720 00	738	369 00	9,242 26	14,490 54
3,475	34 75	103	6,865 00	68 65	550	11 00	13	2,340 00	6 02				1	10 00	3	15 00	5	7 50	6,171	3,702 60	188	94 00	4,274 95	11,561 17
8,394	83 94	429	26,135 00	261 35	3,880	77 60	92	17,185 00	51 55	4	2,420 00	6 05	4	42 00	2	9 50	3	4 50	10,627	6,376 20	1,141	520 50	13,480 04	21,765 26
2,201	22 01	81	5,220 00	52 20	20	40	9	1,970 00	5 91	2	1,500 00	3 75	10	77 00			1	1 50	6,640	3,984 00	1,331	665 50	5,854 79	8,423 91
6,632	66 32	199	12,855 00	128 55	150	3 00	27	6,310 00	18 93				3	21 00			4	6 00	8,669	5,201 40	856	428 00	8,946 15	13,870 55
189,521	1,895 21	4,807	347,943 00	3,478 43	37,612	753 09	912	162,010 00	516 29	100	69,866 00	174 10	256	1713 00	107	520 00	153	229 50	244,265	146,559 00	42,822	21,411 00	223,276 72	379,735 19

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STATE COMMISSIONER'S REPORT.

To His Excellency, A. G. Brown, Governor of the State of Mississippi:

In obedience to the requisitions of the act appointing a State Commissioner, I have the honor to submit the following report for the information of the Legislature:

SINKING FUND.

Since my report of 1st of January, 1846, transmitted through you to the Legislature, I have paid into the Treasury of the State the sum of $28,923 19, of which $18,641 05 was in bonds and coupons of the State of Mississippi, issued on account of the Planters' Bank, and $10,282 14 in other funds. There is also the further sum of say $4,370 00 in bonds and coupons collected, and which I had anticipated would have been received by me in time to have been paid into the Treasury by the date of this report. It will be paid in very soon, and may be regarded as so much additional collected on account of said fund.

The amount actually realized by the State, by the bonds paid in as above, is much greater than the amount as above stated, as the bonds being taken up before due, and some of them were not due until the years 1861 and 1866; of course the accruing interest ceased when received by me.

After the passage of the act of the Legislature of 1846, authorizing the receipt of bonds and coupons in payment of debts to the Sinking Fund, I was applied to in two instances, in cases where the executions were then out, by the parties, for a reasonable time to enable them to obtain the bonds, if possible to pay the debts, even although they would have to pay the amount on the executions in other funds. Deeming the request but reasonable, that the parties should have the benefit of the law just passed, and that it was the desire of the Legislature, that the debts to the State should be collected in a manner which would bear least onorously upon her citizens, and also that the fund itself having to be applied to the payment of the bonds, and that by taking up the bonds themselves, the interest on them as above stated, would cease, and

thereby inure to the benefit of the State. I, in two instances permitted the exchange, viz: in the case of a judgment against Thomas Pleasant, et. al. to the amount of over three thousand dollars, and in the case of a judgment against E. H. Watson, et. al. to the amount of between five and six hundred dollars. I received in part payment of a debt to the fund, a bond due July 1st, 1841, for $1000. The party, Jeff. J. Hughes, making the payment, claimed interest on the bond from its maturity till paid. The Attorney General advised me, that I had no authority to receive any thing but *bonds and coupons*, and that I could not pay interest on the bond after the same was due, unless further authorized so to do by the Legislature; the claim was therefore disallowed by me. Under these circumstances, the party (Mr. Hughes) paid me the bond for the amount called for on its face, ($1000) and coupons for another bond to the amount of $330, being the amount of the interest on said bond from its maturity to the time of its receipt by me, with the agreement that I would hold the same in my hands until the action of the Legislature could be had thereon. Should the Legislature authorize the payment of interest on the bond, the coupons as above stated, will be returned by me to Mr. Hughes, and interest calculated on the bond from its maturity to the time of its payment to me, and so paid into the treasury, otherwise the whole amount, bond and coupons, will be paid into the treasury.

I have, under the provisions of the act of the Legislature of 1846, authorising compromises of debts due the fund, compromised four cases, viz:

By the release as to E. H. Watson, of a suit instituted against him and others, on a note for $1000, on his paying $500 in money and Auditor's warrants. For the residue of a judgment against Robert W. Roberts et. al. for between eleven and twelve hundred dollars, by taking a section of land therefor. For a note of Geo. W. Jelks et. al. for $2000, on which suit was pending, by receiving therefor between eleven and twelve hundred acres of land; and on a judgment against Robert Bradley, et. al., for $4,406 63, rendered in May, 1842, on which $622 39 had been paid to the commissioners of the sinking fund, by receiving therefor $4,580 in bonds and coupons. These compromises were all as directed by law, approved by the Governor and Attorney General.

I have purchased in behalf of the fund, since my last report to

the Legislature, from ten to twelve thousand acres of land. These lands were, as were the others, personally purchased by me, bought in under execution, in cases where nothing else could be had, and at nominal prices.

On the first Monday of October last, I, as directed by the act of 1846, authorising the commissioner of the sinking fund to offer the lands belonging to the sinking fund for sale, offered said lands for sale, after duly advertising the same, but was unable to sell on account of there being no bidders.

Being advised that Mr. H. D. Mandeville jr., the attorney for the late commissioners of the fund, held in his hands several thousand dollars, moneys belonging to the fund, I endeavored repeatedly to get a statement from him of the sums so held by him. He at length sent me an account of what he states as claimed by him for fees, in which said amounts so received by him, are credited on account of said fees. Many of the charges contained in said account I regarded as invalid and erroneous, and I so advised Mr. Mandeville, to which I have as yet received no reply. Mr. Mandeville's residence is not in this State, but in the State of Louisiana. He is, as I am advised, perfectly solvent.

TOWN LOT FUND—SEMINARY FUND.

As stated in my last report to the Legislature, proceedings had been instituted in the circuit court of Hinds county, against George Work, for the moneys held in his hands, collected by him as an attorney, on account af the Town Lot notes, sales of 1838, placed in his hands by A. B. Saunders, former Auditor of Public Accounts, for collection, and which he refused to pay over. After the passage of the act of the Legislature of 1846, entitled an act in relation to the Town Lot Fund and for other purposes, which said act authorizes the Treasurer of the State and Auditor of Public Accounts, by and with the advice and consent of the Governor ot the State and Attorney General, to compound and settle with the debtors of the Town Lot Fund, &c., said Work endeavored to settle his accounts under said act with said Treasurer and Auditor, for moneys received and held by him as above stated. But altho' the terms of settlement, as exhibited to me by said Treasurer, as proposed by said Treasurer and Auditor, and which, the provisions of said act authorizing them to compromise and settle with the debtors to said Fund, and thereby giving them greater latitude and

powers than I possessed, were in my opinion exceedingly liberal, yet said Work refused to accede to the same and settle his accounts, and withdrew his papers from before them. They, therefore, were unable to effect any settlement with him, as I, as State Commissioner, had previously been unable to do.

After said ineffectual attempt at a settlement, said Work filed a bill in Chancery against the State. In said bill, said Work claims as due him as fees, on account of the Seminary Fund, the sum of $7000, viz: $3000 for arguing a case in the High Court, Lydia Parmelee, administratrix, vs A. G. McNutt, Governor, &c., on a note for between six and seven hundred dollars, being one of the notes belonging to the Seminary Fund, placed in his hands by A. B. Saunders, Auditor, for collection. In the court below, judgment was rendered for plaintiff for the full amount of the note, principal and interest. The defendant moved for a new trial, and offered a deposition to prove that she had advertised for creditors to present their claims within the eighteen months prescribed by law, with a view to set up a bar under the statute. The testimony was rejected by the court, and motion for a new trial overruled. The defendant of course, took an appeal to the High Court of Errors and Appeals. The judgment of the lower court was affirmed by said High Court. Said Work filed a brief in said case, and for said service, claimed a fee as above stated of $3000. It may probably be right to add that in said bill, said Work alledges as a reason for said exorbitant fee, that in his opinion the collection of said Fund was endangered by the defence set up. To this, the Attorney General in his answer to said bill remarks, that he "admits that the defendant set up, as a pretended defence, that the note was barred by the statute of limitations, but the circuit court informed the defendant that the statute of limitations did not run against debts due the State—admits that an appeal was taken, that said Work filed a brief in said cause in the High Court, and that the judgment below was affirmed by said court, but denies that the collection of said notes was at all endangered by the defence set up by said Parmelee. The law gave Parmelee the right of appeal, and if Parmelee chose to frighten the over-sensitive mind of complainant by pleading the statute of limitations in a case where the statute did not apply, it was no fault of the State, &c." He also claims the further sum of $4000

for, as he alledges, fees due him on account of said Seminary Fund. The bill recites various cases of amounts due on judgments and decrees, under which sales of Seminary Lands were had, and prays that an injunction be granted, restraining me, as State Commissioner, from paying any amounts collected thereon, and Wm. Clark, State Treasurer, from receiving the same into the Treasury, to the amount as above stated of $7000. In said bill said Work also alledges that Auditor Saunders intended to have altered the conditions of the receipts given by him for the Town Lot notes sales of 1838, placed in his hands, as before stated by said Saunders, Auditor, (and on which, as above stated, he now holds in his hands money collected by him as an attorney, refusing to pay over the same) and to have given him said notes exempt from said conditions—the conditions of which, said receipts (or two of them) obligated him to collect said notes at five per cent on the amount collected.

He further alledges, that "as he verily believes, he has not received a fair or just compensation" for his services as the agent of the State, in making sale of the lots in Jackson in the year 1838. The answer to said bill by the Attorney General as above stated, charges, that for said service, said Work submitted his account to the Legislature of the State, and that said Legislature made an appropriation of $700, or thereabouts, in full payment for said services, which amount was received by said Work.

He also claims, that his salary for more than $1500 as Commissioner of Public Buildings, remains due and unpaid, he having been elected by the Legislature to said office, in 1840, for the term or tenure of two years, from which said office, as he states, "the Legislature of 1841 attempted to repeal him out of office before one year of his term had expired," which act he considers "unconconstitutional and void," and that "his salary (as above) has been refused him and is still unpaid, on account of said unconstitutional repealing act," and states that "as he conceives such power has been denied and refused in numerous other cases, he objects to being made an isolated victim to such a doctrine, and feels it his duty as a citizen of the State, to test the validity of the act of 1841."

On this bill as above, an injunction was granted restraining me as before stated, from paying into the Treasury, and Treasurer from receiving moneys to the amount of $7,000 00, on account of

cases recited in said bill, the property of the Seminary Fund. I have collected, and now hold in my hands, the sum of $6,632 38, on account of the Seminary Fund, being restrained by said injunction, from paying the same into the Treasury of the State. The Seminary Fund loses the interest on said amount; said Fund being entitled to 8 per cent. interest on all amounts paid into the Treasury on account of said fund. The Attorney General, in behalf of the State, filed an answer to the bill, praying a dissolution of said injunction; but while the same was pending, he, in July last, obtained an order from the Chancellor referring said cause to Jacob F. Foute, Esq., Master Commissioner, to take an account of the matters in said bill, with regard to the Seminary and Town Lot Funds. The book of sales of Town Lots for 1838, and George Work's three receipts for the Town Lot notes, (said sales,) have been since July last, and still are in the hands of the Master Commissioner, who has not as yet rendered an account, nor do I know when the same will be rendered. I was unwilling to said course as above being taken, as I was of the opinion that said injunction must have been dissolved, and the money, thus have been enabled to have been paid into the Treasury, and desired that such course should have been adopted; and thus more particularly, as the late commissioner of the Seminary Fund, (Col. McAfee) had advised me by letter, that he had paid to said work all his legitimate fees—his extra charges he stated he refused to allow. The injunction as above stated, restrains me from paying the money held by me, as above, into the Treasury of the State. Should the Legislature deem it advisable to order and direct the same to be paid to any one they may designate, and to whom I can make payment of the same, without being held liable for the same on my bond, as State Commissioner, I will do so.

Beside the aforementioned sum restrained by injunction, I have paid into the Treasury, on account of the Seminary Fund, the sum of $2,010 31⅓. I regard the further sum of $25,000 of said Fund as secure, being cases principally, which are impending either in the Chancery or High Court, and which are good.

There is an execution on bond, now in sheriff's hands, for the sum of $1,714 00, on account of the sales of 1833, which I regard as good.

There is also a decree on account of sales of 1833, for the sum

of $1,222 82, obtained by the Attorney General, the report of Commissioner in which case, was omitted to be confirmed at late term of the Chancery Court, but will be at the present term of said court, which is perfectly good.

There are also bills impending in said court, filed by the Attorney General to subject to sale lots—sales of 1833—on notes given for purchase money of said lots, to the amount of over $5,000 00, from which there will be realized, when decrees are rendered, from seven to ten thousand dollars.

There was realized from the sale of lots, as reported to me, made by the Auditor and Treasurer in April, 1847, made under the act of the Legislature of 1846, entitled "an act in relation to the Town Lot Fund, and for other purposes," the sum of $2,183 00.

The suit in the Circuit Court of Hinds county, against D. Shelton, as stated in my last report, is yet undecided. Also the proceedings, as stated in said report, instituted against Robert Hughes, are yet impending. Judge Coalter, having decided, that I, as State Commissioner, had no right to sue; said case awaits the decision of that question by the High Court, in other cases carried up from said Circuit Court of Hinds county.

All of which is respectfully submitted.

JAMES R. YOUNG, State Com'r.

RECAPITULATION—SINKING FUND.

Paid in in Bonds and Coupons, - -	$18,641 05
Collected in ditto, and held as stated in report, -	1,330 00
Collected in ditto, as stated in report, but not yet received by me, say, - - - -	4,370 00
Paid in in other funds, (specie and Auditor's warrants,)	10,282 14
Total, - - - - -	$34,623 19

STATE OF MISSISSIPPI,
ADJUTANT GENERAL'S OFFICE, Dec. 27th, 1847.

A. G. Brown, Commander-in-chief:

SIR—In conformity with law and your requisition of the 10th inst., I have the honor herewith to lay before you the number and rank of the commanding officers in the militia of this State, together with the vacancies yet remaining in the same. Annexed you find a table exhibiting the number and rank of all officers now in commission. A great number of the beat officers however, are acting under brevet appointments, and whose names therefore, are necessarily excluded from the annexed table.

The staff of the Commander-in-chief is fully officered.

The five divisions are officered, with the exception of the staff of the major-general of the 3d division—only one aidecamp is known to that division.

The eleven brigades are officered, with the exception of the 1st brigade of the 5th division.

The 1st regiment is fully officered; the 2d regiment has a colonel, lieut. colonel and major; beat company A, is fully officered; beat company B, has one ensign; company D is fully officered; company E has a captain; company F is fully officered; company G is fully officered. The 3d regiment has a colonel, lieut. colonel and major; beat company A has no officers; beat company B has no officers; beat company C is fully officered. The 4th regiment has a colonel and lieut. colonel; company A is fully officered; company B is fully officered; companies C and D have no officers; companies E and F are fully officered. The 5th regiment has a colonel and lieut. colonel; beat company B has a captain and lieutenants; beat company C has a captain and lieutenants; company D has a captain and lieutenants; company E has a captain, 1st lieutenant and 2d lieutenant; company F has a captain, 1st lieutenant and 2d lieutenant; company G has a captain, 1st lieutenant and 2d lieutenant; company H has a captain, 1st lieutenant and 2d lieutenant. The 6th regiment has a colonel, lieut. colonel and major; beat company A, of said regiment, has a captain and an ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a lieutenant and an ensign; beat company E has a captain, lieutenant and an ensign; beat company F has a captain,

lieutenant and an ensign; beat company G has a lieutenant; beat company H has a captain and an ensign. The 7th regiment has a colonel and lieut. colonel; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; company D has no officers; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign. The 8th regiment has a colonel, lieut. colonel and major; beat company A, of said regiment, has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain and ensign; company E has no officer; company F has a captain, lieutenant and ensign.

The 9th regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain only; beat company D has a lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign; beat company H has a captain and a lieutenant.

The 10th regiment has a colonel, lieut. colonel and major; beat company A has no officers; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenants and ensign; beat company E has a lieutenant.

The 11th regiment has a colonel, lieut. colonel and major; beat company A is not officered; beat company B has a lieutenant and ensign; beat company C has a captain and lieutenant; beat company D has a captain, lieutenant and ensign.

The 12th regiment has a colonel and major; beat company A is not officered; beat company B not officered; beat company C has an ensign; beat company D has no officer; beat company E has a lieutenant and ensign.

The 13th regiment has a colonel only—no companies yet organized.

The 14th regiment has a colonel only—no companies yet organized in said regiment.

The 15th regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign.

The 16th regiment has a major; beat company A has a captain and a lieutenant; beat companies B and C are not officered; beat company D has a lieutenant.

The 17th regiment has a lieutenant colonel; beat company A has a lieutenant; beat company B not officered; beat company C has a captain and a lieutenant; beat company D has a captain and a lieutenant; beat company E has a captain; beat company F has a lieutenant; beat company G has a captain, lieutenant and ensign.

The 18th regiment has a colonel and a major; beat company A has a captain, lieutenant and ensign; beat company B not officered; beat company C has a captain, lieutenant and ensign; beat companies D, E, F, G, not officered; beat company H has a captain and an ensign; beat company I not officered; beat company K has a lieutenant and ensign.

The 19th regiment has a lieutenant colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign; beat company I has a captain, lieutenant and ensign; beat company K has a captain, lieutenant and ensign.

The 20th regiment has a colonel and major; beat company A has a lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a lieutenant and ensign.

The 21st regiment has a colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has an ensign; beat company C not officered; beat company D has a captain, lieutenant and ensign; beat company E has a captain and lieutenant; beat company F has a captain, lieutenant and ensign; beat company G has a captain; beat company H has a captain, lieutenant and ensign; beat company I has a lieutenant and ensign.

The 22d regiment has a major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain, 1st lieutenant and 2d lieutenant; beat company D has a captain; beat company E has a lieutenant and ensign.

The 23d regiment has a colonel and lieutenant colonel; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain.

The 24th regiment has a colonel, lieutenant and ensign; no beat companies have been organized in said regiment.

The 25th regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has no officers; beat company H has a captain, lieutenant and ensign; beat company I has a captain, lieutenant and ensign.

The 26th regiment has a colonel and lieut. colonel; beat company A has a captain, lieutenant and ensign; beat company B has a captain; beat company C has a captain; beat company D has a captain and lieutenant; beat company E has a captain, lieutenant and ensign.

The 27th regiment has a colonel; beat companies A and B have no officers; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has no officers; beat company F has a lieutenant; beat company G has a captain and lieutenant; beat company H has a captain, lieutenant and ensign.

The 28th regiment has a colonel and a major; beat company A has a captain; beat company B has a captain; beat company C has a captain and lieutenant; beat company D has a captain; beat company E has no officers; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign; beat company H has a captain, lieutenant and ensign; beat company I has no officers; beat company K has a captain, lieutenant and ensign.

The 29th regiment has a colonel; beat company A has no officers; beat company B has a captain; beat company C has no officers; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has no officers; beat company G has a captain, lieutenant and

ensign; beat company H has no officers; beat company I has a captain; beat company K has a captain.

The 30th regiment has a colouel and major; beat company A has a lieutenant and ensign; beat company B has a captain and lieutenant; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign; beat company H has a captain, lieutenant and ensign.

The 31st regiment has a colonel and a major; beat company A has a captain, lieutenant and ensign; beat company B has no officers; beat company C has a captain; beat company D has a captain, lieutenant and ensign; beat company E has a captain; beat company F has a lieutenant and ensign.

The 32d regiment has a colonel, lieutenant colonel and a major; beat company A has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has no officers; beat company E has a captain, lieutenant and ensign; beat company F has a captain and lieutenant; beat company G has a captain, lieutenant and ensign.

The 33d regiment has a colonel, lieutenant colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign.

The 34th regiment has a colonel and lieutenant; beat company A has a captain, lieutenant and ensign, beat company B has a captain and ensign; beat company C has a lieutenant; beat company D has a captain, lieutenant and ensign; beat company E has a lieutenant and ensign; beat company F has no officers; beat company G has a captain and ensign; beat company H has a captain, lieutenant and ensign.

The 35th regiment has a lieutenant colonel; beat companies A and B have no officers; beat company C has a captain; beat company D has a captain; beat company E has a captain.

The 36th regiment has a colonel, lieut. colonel and major; beat

company A has a captain; beat company B has a lieutenant; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign.

The 37th regiment has a colonel and a major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain; beat companies E and F have no officers; beat company G has a lieutenant; beat company H has no officers; beat company I has a captain, lieutenant and ensign.

The 38th regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain; beat company C has a captain, lieutenant and ensign; beat company D has a captain; beat company E has a captain, lieutenant and ensign.

The 39th regiment has a colonel, lieutenant colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain and ensign; beat company D has a captain and lieutenant; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign.

The 40th regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat comapny C has a captain, lieutenant and ensign; beat company E has a captain and lieutenant.

The 41st regiment has a colonel and lieut. colonel; beat company A has a captain, lieutenant and ensign; beat company B has a captain; beat company C has a captain, lieutenant and ensign; beat company D has a captain; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign.

The 42d regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and en-

sign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign.

The 43d regiment has a colonel, lieut. colonel and major; beat company A has a captain and lieutenant; beat company B has no officer; beat company C has a captain and ensign; beat company D has an ensign; beat company E has no officer; beat company F has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign; beat company H has a captain, lieutenant and ensign.

The 44th regiment has a colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain and lieutenant; beat company F has a captain, lieutenant and ensign.

The 45th regiment has a colonel, lieut. colonel and major; beat company A has no officer; beat company B has a captain and lieutenant; beat company C has a captain, lieutenant and ensign; beat company D has no officer; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign.

The 46th regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat companies C, D, E, F, G, H and I, each have a captain, lieutenant and ensign.

The 47th regiment has a colonel and a major; beat company A has a captain and lieutennnt; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G and H each have a captain, lieutenant and ensign.

The 48th regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has no officer; beat company C has a captain and lieutenant; beat company D has no officer; beat company E has a captain; beat company F has no officer; beat company G has a lieutenant and ensign; beat company A has a lieutenant and ensign; beat com-

pany I has no officer; beat company K has a lieutenant and ensign.

The 49th regiment has a colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain; beat company D has a captain, lieutenant and ensign; beat company E has a captain; beat company F has no officer; beat company G has no officer.

The 50th regiment has a colonel, lieut. colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain and lieutenant; beat company C has a captain and lieutenant; beat company E has a captain, lieutenant and ensign; beat company F has a lieutenant; beat company H has a captain.

The 51st regiment has a colonel, lieut. colonel and major; beat companies A and B have no officers; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign, beat company E has a captain, lieutenant and ensign; beat company F has a captain; beat company G has a captain, lieutenant and ensign.

The 52d regiment is not organized.

The 53d regiment has a colonel, lieut. colonel and major.

The 54th regiment has a colonel and major; beat company A has no officer; beat company B has no officer; beat company C has a captain and lieutenant; beat company D has a captain.

The 55th regiment has a colonel, lieut. colonel and major; beat company A has a captain and lieutenant; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat companies D and E have no officers; beat company F has a captain and lieutenant; beat company G has a captain, lieutenant and ensign; beat company H has a captain and lieutenant; beat company I has a captain, lieuteuant and ensign.

The 56th regiment has a colonel, lieut. colonel and major.

The 57th regiment has a colonel and lieut. colonel.

The 58th regiment has a colonel, lieut. colonel and major; beat company H has a captain, lieutenant and ensign; beat company G has a captain, lieutenant and ensign; beat company I has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and

ensign; beat company L has a captain, lieutenant and ensign; beat company B has a lieutenant and ensign; beat company C has a captain and lieutenant.

The 59th regiment has a colonel and major; beat company A has a captain, lieutenant and ensign; beat company B has a captain, lieutenant and ensign; beat company C has a captain and lieutenant; beat company D has a captain, lieutenant and ensign; beat company E has a captain, lieutenant and ensign; beat company F has no officer; beat company G has a captain and lieutenant; beat company H has a captain, lieutenant and ensign.

The 60th regiment has a colonel, lieut. colonel and major; beat company A has no officer; beat company B has a captain, lieutenant and ensign; beat company C has a lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has a captain; beat companies F and G have no officer; beat company H has a captain and lieutenant.

The 61st regiment has a colonel, lieut. colonel and major.

The 62d regiment has a colonel and major; beat company A has a captain and lieutenant; beat company B has a captain, lieutenant and ensign; beat company C has a captain, lieutenant and ensign; beat company D has a captain, lieutenant and ensign; beat company E has no officer.

The 63d regiment has a colonel; beat company A has no officer; beat company B has a lieutenant; beat companies C, D, E, F and G, have no officers; beat company H has a lieutenant and ensign.

The 64th regiment has a colonel, lieut. colonel and major; beat company A has no officers; beat company B has a captain, lieutenant and ensign; beat company C has no officers; beat company D has a captain; beat company E has a captain, lieutenant and ensign; beat company F has a captain, lieutenant and ensign; beat company G has a lieutenant; beat company H has a captain and lieutenant.

The 69th regiment has a colonel.

The new counties of Issaquena and Sunflower, have no organization, nor was there any authority for such, at the time of their creation.

All of which is respectfully submitted.

I have the honor to be, very respectfully,

Your obedient servant,

H. L. FRENCH, Adj't Gen.

Executive correspondence with the Secretary of War &c.; asking the privilege for Volunteers 1st Mississippi Regiment to retain the arms borne in battle, &c.

EXECUTIVE CHAMBER,
Jackson, Miss., 20th April, 1847.

Hon. W. L. Marcy, Secretary of War:

SIR—A number of the volunteers in the first regiment from this State have expressed a very natural anxiety to be allowed to retain the arms they have borne in Mexico. The attachment which a soldier feels for his gun, may easily be imagined. The Mississippians of the first regiment will return home, in the course of a few weeks. The reluctance which many of them have expressed, and all of them feel, to *give up their guns*, induce me to request an order that they be allowed to retain them. If this request cannot be granted, I then request that the arms in the hands of the volunteers belonging to the first Mississippi regiment, may be issued to this State as a part of the quota due her—in which event the State will present them to the volunteers. The regiment will feel gratified, as well as the citizens of Mississippi generally, if a piece of ordnance taken at Monterey were presented to the volunteers on their return home, as a trophy of that victory in which the regiment from our State assisted in achieving.

Very respectfully, your obedient servant,
A. G. BROWN.

ORDNANCE OFFICE,
Washington, 5th May, 1847.

Hon. W. L. Marcy, Secretary of War:

SIR—In relation to the letter of the Governor of Mississippi, referred to this office, asking that certain volunteers from that State be allowed to retain the arms which they have so efficiently used in Mexico, I have the honor to report as follows: With every disposition to gratify the rational desire of the soldier, to retain in his possession the weapon with which he has so successfully fought and gained imperishable renown, there is no power in this department to thus dispose of public property. One thousand percussion rifles were issued to the regiment commanded by Col. Jefferson Davis. How many have been lost or destroyed in service, is not known. The alternative proposed by Governor Brown, that these

arms be issued to the State of Mississippi, under the law of 1808, as a part of her quota, may be adopted provisionally, and the whole number stand charged to that State until the losses are ascertained, or until legislation shall be had in the case. The number of muskets usually apportioned to the State, is about three hundred and fifty, so that it would absorb the allotment for three years, were the whole number issued to remain charged to the State. The letter of Gov. Brown is herewith returned.

I am, sir, respectfully, your obedient servant,

G. TALCOTT, Lt. Col. Ordn.

WAR DEPARTMENT,
May 11th, 1847.

SIR—I have the honor to acknowledge the receipt of your letter of the 25th ultimo, representing the anxiety felt by a number of the volunteers in the first regiment from your State, to retain the arms they have borne in Mexico, and requesting that an order might be issued to that effect. In answer, I regret to state, that the department has no power to dispose of the public property confided to its charge, in the way here proposed. But with a view to gratify the natural desire of the volunteers, as far as may be consistently done, the department takes pleasure in adopting the suggestion of your Excellency, and has accordingly directed that the arms in the hands of the volunteers belonging to the first Mississippi regiment, be issued to the State as a part of her quota under the act of 1808, agreeably to the report of the Chief of the Ordnance Department herewith inclosed.

It would give me sincere pleasure to comply with your request in relation to presenting to the gallant Mississippi volunteers, a portion of the trophies won at Monterey, but I regret that I have not the right to dispose of them even to those by whose valor they were acquired. The right to dispose of them is in Congress, and I cannot doubt they will readily and cheerfully gratify the wishes of your brave fellow-citizens as soon as it shall be made known to them. I have the honor to be,

Very respectfully, your obedient serv't,
W. L. MARCY, Sec'y of War.

His Excellency A. G. BROWN,
Governor of Mississippi, Jackson Miss.

EXECUTIVE CHAMBER,
Jackson, Miss., 17th May, 1847.

Col. Jeff. Davis, Com. 1st Miss Rifles.

SIR:—I have the honor to enclose you a copy of a letter written by me, to the Secretary of War, requesting that officers and men in your regiment be allowed to retain their arms on returning from the service, or that said arms be issued to Mississippi as a part of her *quota* from the general government. The Secretary has not yet replied to the letter, but it is not doubted by me, that he will at least yield to the last request. Expecting to be absent from home for some weeks, I have instructed the Secretary of State to forward Gov. Marcy's answer to you when it is received. Should either of my requests be complied with, you will allow the men under your command to retain their arms when you disband them. If they are issued to the State, I cannot render a more acceptable service to the people, for whom your ever glorious regiment has won such imperishable honor, than to say, in their name "there shall be no divorce between the gallant soldier and his gun."

Very respectfully, your ob't. serv't,

A. G. BROWN.

EXECUTIVE CHAMBER,
Jackson, Miss., 29th July, 1847.

Col. Jeff. Davis.

SIR:—I am informed by the Secretary of War, that your First Mississippi Regiment had issued to them one thousand stand of arms, and that our State stands charged with that number, subject to a deduction of so many as were not actually on hand at the time the regiment was mustered out of service. You will recollect that it was at my instance the arms were left in the hands of the volunteers. It is therefore desirable to me, that the account should be adjusted before I go out of office. Will you inform me therefore how many rank and file you had mustered out at New Orleans, how many stand of arms were retained, *if you know*, and whether any more guns were retained than there were privates mustered out of the service. I have addressed a note to each one of the Captains, asking them to state their accounts, but a letter from you will greatly aid me in the settlement.

Very respectfully your ob't serv't.

A. G. BROWN.

BRIARFIELD, NEAR WARRENTON,
August 7th 1847.

Gov. A. G. Brown.

SIR:—I have, from causes, which I will briefly explain, failed to make the report due to you, of the rifles retained by the First Mississippi Regiment of Volunteers. Your correspondence with the Secretary of War did not reach me until after our arrival in New Orleans. The regiment was in process of being disbanded, and the men in no regular quarters. I could not, as when we were embodied, get reports from the companies, and regret to say, that I have at this date, received but one; showing the number of rifles retained. I hope some others, if not all, may have been sent to the Adjutant at Vicksburg, to whom I will write this day, and point to such information as the regimental books contain, and request him to extract and send it to you in advance of a full report, which I hope to make you at an early day upon all subjects of importance, connected with the regiment you organised and gave to the service of the United States.

Your just appreciation of the attachment of the soldier to his gun, your sympathy and efficient attention to this feeling in our regiment, entitles you to the thanks of our friends, as it has eminently received our own. Had the correspondence reached me at the Brazos, it would have been in my power to have turned over to the State two hundred rifles which had remained in my charge, (eight hundred being as many as here required for the regiment,) they were returned to the government through an ordnance officer at Point Isabel. The number retained in the hands of our men does not equal the number of men mustered out of service, some having been lost on the voyage back and some on the field of our last battle. Men wounded, lost their rifles which were not subsequently replaced. Some of the *officers* kept rifles, but those I suppose have been paid for.

The plan I proposed of accountability, was to furnish to the State Executive a return of the number of rifles retained, with a roll of the men responsible for them, hoping that they would be donated to those individuals by the legislature of our State. Capt. Cooper reports "retained by order of Gov. Brown, for the State of Mississippi, *thirty-nine rifles.*" This is greatly above the average number. I think the total will be about 310 retained. The re-

turns of the Captains and my own to the United States Ordnance Department, will, I hope, long before the close of your Executive term, adjust the charge against our State, on account of these rifles.

Very respectfully your ob't serv't.

JEFFERSON DAVIS.

EXECUTIVE CHAMBER,
Jackson, Miss. July 30, 1847.

SIR: With the view to a speedy and satisfactory settlement with the Ordnance office at Washington City, on account of the arms retained by the 1st Mississippi regiment, I have to request that you will, with as little delay as possible, make out an official statement of the number of arms received by you when you entered the service—what number remained in possession of your men when they were mustered out, and what disposition was made of those not retained.

My reason for asking your early attention to this matter is, that I am notified by the Secretary of War, that one thousand rifles were issued to the 1st Regiment, and that our State has been charged with that number subject to deductions for all not actually in possession of the volunteers when mustered out; and as it was at my request the arms were left in the hands of the volunteers, I am extremely desirous of adjusting the account with the department at Washington before the expiration of my official term, now drawing to its close.

You will greatly oblige me by making duplicate accounts, one of which enclose to "G. Talcott, Ordinance Department, Washington City," and the other to myself.

Very respectfully, your obedient servant,

A. G. BROWN.

Copy sent to Captains Cooper, Downing, McManus, Willis, Crump, Rogers, Howard, Taylor, Delay and Sharpe.

EXECUTIVE CHAMBER,
Jackson, Miss., Oct. 14, 1847.

SIR: On the 30th day of July last I addressed you a letter on the subject of the arms issued to your company as a part 1st Mis-

sissippi Regiment. I informed you that the whole number of rifles and accoutrements issued had been charged to the State, and that no deduction could be had until you rendered a report, setting forth the number of arms received by you when you entered the service, the number retained by you when you left, and the disposition made of those not retained.

In making the application to the Secretary of War to allow your men to retain their arms, I was endeavoring to serve the men who had served their country, and I now find myself in the very unpleasant attitude of having a very heavy charge made against the State for arms never received, from which I can only extricate myself by the reports of yourself and other officers, shewing as above requested, the number of arms issued, the number retained, and the disposition made of the residue. I beg, therefore, that you will, without further delay, make the report, and thus enable me to make the necessary settlement before I go out of office.

I am very confident you will not suffer an act intended as kindness to the men under your command, to be turned into reproach against me, when by making a report such as I have asked you can so easily avoid.

Very respectfully, your obedient servant,

A. G. BROWN.

Copies sent to Captains Delay, Downing, McManus, Crump, and Taylor—others answered first letter.

EXECUTIVE CHAMBER,
Jackson, Miss., Aug. 12, 1846.

G. Talcott, Lieut. Colonel, Ordnance, Washington:

SIR: The quota of arms due Mississippi is about 440 muskets, as shewn by a letter of yours, addressed to me in the early part of 1845, in reply to one from me transmitting the strength of our militia. I observe in the late official report of the militia in the several states, that Mississippi is put down at about 36,000, under a report rendered by us in 1838, and you set down the quota of arms due this State in your letter of last spring, at about 350 muskets. Permit me to call your attention to the fact that I reported the strength of our militia early in 1845, at 45,000, or there abouts.

You replied acknowledging the receipt of the report, and stated that it would entitle us to 440 muskets for the year 1845, and to a like number each year thereafter. There was sent us 350 muskets, and your letter for this year states our quota at 350 instead of 440. I claim a distribution of arms under the reports of 1845, for 45,000 militia, and therefore claim 440 muskets for this year, and a number sufficient to fill out our quota for the last year to that number, and ask for them as follows: 180 sabres, best quality; 180 pair pistols, (percussion if to be had) and a like number of holsters, 128 rifles, best quality, and accourtrements; 1 brass cannon, 6 pounder, with carriage, &c. complete, and the balance in muskets; best quality.

Very respectfully,

A. G. BROWN.

MISSISSIPPI PENITENTIARY,

CLERK'S OFFICE,
Dec'r. 12, 1846.

To His Excellency, A. G. Brown,
Governor of the State of Mississippi:

SIR—I transmit herewith the annual account current and reports of the Inspectors, superintendent, and Physician, of this institution, for the fiscal year ending November 30, 1846.

I have this day Deposited with the Auditor of Public Accounts, the general statements required by law to be filed in his office.

By direction of the board of Inspectors.

Very respectfully, your obedient servant,
D. N. BARROWS, Clerk.

INSPECTOR'S OFFICE,
Dec'r. 13, 1847.

To His Excellency, A. G. Brown,
Governor of the State of Mississsippi:

SIR—In compliance with the 8th section of the Penitentiary law, approved February 24, 1844, we beg leave to make the following report of the condition of the Mississippi Penitentiary.

The prison has usually been kept cleanly; the cells are well white-washed, and present a neat apppearance. The yard and workshops are cleanly, and seem to be well arranged for the various branches of business carried on in the institution.

Agreeably to an act of the legislature, approved 5th March, 1846, for changing convict labor, and other purposes, the superintendent has commenced a building 44 by 88 feet, three stories high (which is about one-third on the way) for the reception of machinery for manufacturing woollen and cotton goods. There has been built a very large cistern 20 by 26 feet, for supplying the engine with water; this embraces all the material permanent improvements about the prison.

For the number of prisoners confined in the Penitentiary, and their various employments, we refer you to the superintendent's report, marked A.

For the health of the prison, we refer to the physician's report, herewith transmitted and marked B.

The income and expenditures during the last year, and the dis-

tinct profit and loss of each department will be seen on reference to the account current herewith annexed, marked C.

The cash receipts this year, have amounted to $5,124 60-100 less than last year. The amount of manufactured articles now on hand, is $6,163. The amount drawn from the State treasury, is $12,706 27-100. The increase in stock and tools over last year, is $5,727 95-100. Cash now on hand, $3,542 29-100. The loss on sales of manufactured articles, (sold less than invoice price) is $469 12-100. It will be seen by this statement, that the penitentiary has lost to the State during the year, $884 53-100. The first and most important cause of the loss, is the fact, that the superintendent, (with the concurrence of the inspectors) has gradually endeavored to bring about a change of convict labor, agreeably to an act of the legislature, referred to before in this report. When that law was passed, it was almost universally believed, through the country, that we were prohibited from manufacturing or selling any kind of manufactured articles, except woollen and cotton goods; that, also, accounts for the large amount of stock now on hand. Another cause, (as will be seen by the reports of the superintendent and physician) is, that sickness prevailed to a great and even alarming extent at one time.

In compliance with the act of the legislature, there has been purchased and put into operation an engine and fixtures for propelling the machinery now erected in the prison; it is, also, of sufficient power to propel the additional machinery for manufacturing woollen and cotton goods.

Some short time subsequent to the adjournment of the legislature, the inspectors appointed an agent to visit the different manufacturing establishments at the North, for the purpose of gaining information relative to the most approved machinery. The agent diligently performed the task assigned him, and reported that he had visited all the most important factories. The inspectors (from the best information,) concluded that they could make the best purchase from Messrs. Rogers, Ketchum and Grosvenor, extensive manufacturers at Patterson, New Jersey; they therefore ordered the machinery, which will give employment to 20 or 25 hands. The board found it utterly impossible to comply strictly with the act of the last legislature. The machinery necessary to employ 80 hands, would cost $30,000; the amount appropriated was but

$4,000. The board, therefore, found it necessary, in order to make any shewing towards complying with the law, to appropriate from the sales of articles in the institution, about $2,500. The least possible amount which has already been required to commence the purchase of machinery to carry out the design of the legislature, is $6,292 50-100.

It will be proper to state here distinctly, that should the legislature subsequently make an appropriation for the extension of machinery, the engine and fixtures, the house now being erected, and a portion of the machinery, will be sufficient, (without additional expense,) for the employment of 80 hands.

We are satisfied, from experience and close observation, that it is very important for the safety of the prisoners, and as a matter of economy to the State, that some plan be adopted to make sale of the manufactured articles without the walls of the prison. It is not unfrequent to see 20 or 25 persons within the walls of the prison at one time, and a large majority of them visit from mere idle curiosity, and occupy the time of the officers and guards, and prevent them from attending to their duties; this is during all hours of the day; it also attracts the attention of the prisoners and causes them to gaze and idle away time.

The inspectors are not aware that they have the power under the law, to prohibit this practice; nor can it be done unless the manufactured articles are without the walls for sale. It is very frequent that persons ask permission to go into the prison under pretence of wishing to purchase something; get within the walls and stay for hours, without having the least design of making a purchase. We would recommend that some plan be adopted to dispose of the manufactured articles without the walls of the prison. We would also recommend, that visitors should not be admitted within the walls of the prison, except at certain hours, say from 9 to 12 A. M., and but a limited number each day; also, that they should obtain a written permit from some officer not connected with the institution.

We would further recommend a change in the mode of taking the inventory of stock on hand at the end of each fiscal year. We would suggest that three or more appraisers be appointed to value the stock on hand; it would be the means of having a fair valuation of the stock, and prevent the superintendent from valuing the

stock on hand at more than its real worth, in order to make a favorable shewing of what the penitentiary had made during the year. It is but just to state here, that this suggestion was made to the inspectors by the present superintendent.

The prisoners seem (with few exceptions) to be as well contented as could be expected; they are generally submissive to the officers and guards, and a large number of them respect, as well as fear, the superintendent; we feel confident that they will compare in appearance, with any prisoners in the United States; they are well clothed and furnished with good wholesome diet, well prepared.

The inspectors tender their sincere thanks, on behalf of the prisoners, to the different ministers of the Gospel in Jackson and its vicinity, who have voluntarily preached to them. We have reason to believe that it has a good influence on their morals.

Much credit is due to Miss D. L. Dix, who visited this prison last spring, for the interest manifested by her for suffering humanity, and more especially for the labor she has bestowed in collecting information for the best mode of treatment to convicts. We have read her work, styled "Remarks on Prisons and Prison Discipline in the United States," with great pleasure, and hope to be much profitted by the next edition. We tender her our thanks for the valuable little library which she furnished the prisoners with.

The officers and guards have discharged their various duties with fidelity and promptness, and have acquisced with the board of inspectors in all matters which came before them. There has been, generally, harmony and good feeling prevailing during the last year, with all concerned.

All of which is respectfully submitted.

RICH'D. P. WINSLOW,
J. C. FORREST,
CHARLES SCOTT,
Inspectors.

The foregoing was prepared in my absence from Jackson, but I have read it carefully, and concur in the report. It is proper that I should state also, that I was absent during the past summer, and consequently was not present when the appropriation referred to in the report, was made for the purchasing of machinery; but I

am convinced that the appropriation was requisite, in order to effectuate the intention of the legislature, as contained in the act passed at its last session, entitled "an act to change the labor of the convicts, and for other purposes."

CHARLES SCOTT

[A]

SUPERINTENDENT'S OFFICE,
December 7, 1846.

To R. P. Winslow, Jas. C. Forrest, and Charles Scott, Esqrs., Inspectors of the Mississippi Penitentiary:

GENTLEMEN—I have the honor to submit to you my annual report, ending 30th day of November, 1846.

You will perceive that the institution this year, has lost to the State the sum of $884 53-100.

By an examination of the books of the institution, you will perceive that we have had not more than seventy convicts during the spring, summer and fall months, and that by an examination of the physician's report and books, you will see that an average of 15 of that number have been sick during the year, and that for about four months, thirty were on the sick list, leaving, during the greater part of the year, only 54 hands capable of doing labor: the number of convicts has now run up to 89, within the last few weeks, and the whole number has generally been employed as follows:

In blacksmith shop,	7	In grinding corn,	3
" wheelwright shop,	10	" gardening,	2
" shoemaker's, shop,	6	" cooking and washing,	5
" spinning and weaving,	6	" sweeping and cleaning,	2
" carding and cleaning wool,	3	" old and infirm,	4
" painting & carriage trim'g,	4	" average sick,	15
" brick y'd and laying brick,	22		58
	58	Total,	89

The whole number of convicts received into the prison since its commencement, is 196. The whole number in confinement on the 30th day of November, 1845, was 84. The whole number received since then to 30th November, 1846, is 37. Discharged of this number by expiration of sentence, 17, and discharged by pardon of the Governor, 8; four of which received their pardon on

the days before their service expired, on account of extraordinary good behavior whilst in prison. Seven died during the year, which leaves now in confinement, 89.

I had intended showing more in detail, why the prison sustained a loss this year, which, however, I am entirely unable to do owing to the feeble state of my health, believing, at the same time, that the statement had better come from you.

I subscribe myself your obedient servant,

BENJAMIN G. WEIR,
Superintendent.

[B]

COPY OF PHYSICIAN'S REPORT.

JACKSON, Dec. 7, 1846.

To the Inspectors of the Mississippi Penitentiary:

GENTLEMEN—The number of deaths in the prison this year, has exceeded that of any other since its establishment. About the first of May, the convicts were attacked almost simultaneously with dysentery of a very malignant character, which, in a few weeks, had extended over the whole prison, leaving scarcely an individual who was not more or less afflicted by it.

No abatement took place until the sick were removed to another building prepared for their reception, and a thorough cleansing of the cells and bedding had been made.

The number of deaths by dysentery were four; two have died of chronic diarrhœa, and one of pulmonary consumption. There have been but few cases of fever during the year, diarrhœ and dysentary having prevailed to the exclusion of almost every other disease.

The prison is at this time comparatively healthy, there being only a few chronic cases on the sick list.

Very respectfully, your obedient servant,

WM. S. LANGLEY.

***STATEMENT**, showing the number of convicts discharged by expiration of sentence, pardon and death, at the Mississippi Penitentiary, during the year ending November 30, 1846.*

NOS.	NAMES	AGE.	CRIMES.	COUNTY WHERE CONDEMNED	DATE OF ADMISSION.	EXPIRATION OF SENTENCE.	PLACE OF BIRTH.	REMARKS.
41	James J Saunders	25	Grand larceny	Adams	Dec 28, 1841	Dec 11, 1845	Virginia	Pard'd Dec 10, '45
52	Benjamin Hagany	33	Larceny	"	Dec 20, 1843	Dec 16, 1845	Delaware	
4	Thomas Walton	40	Arson	Lowndes	April 18, 1844	April 9, 1851	N. Carolina	" Dec 23, '45
6	James Erickson	29	Larceny	Wilkinson	April 30, 1845	April 21, 1849	Denmark	Died Dec 27, '45
2	Royal Sparks	33	Manslaughter	Lowndes	April 18, 1844	April 9, 1848	Virginia	Pard'd Jan 10, '46
65	James Tindall	27	Perjury	Kemper	May 3, 1844	April 28, 1847	Georgia	" Jan 20, '46
59	Jim alias Tunnubee	22	Rape	Newton	June 10, 1845	June 10, 1860	Choctaw	" Feb 14, '46
72	George Condeia	17	Larceny	Hancock	April 11, 1844	April 3, 1846	Penn.	
32	Henry Maxey	39	Grand larceny	"	April 28, 1841	April 8, 1846	Ohio	
74	John Y Martin	18	" "	Tishemingo	April 21, 1844	April 10, 1846	Alabama	
63	Andrew J Carter	26	Larceny	"	May 2, 1843	April 13, 1846	Virginia	
64	William Owens	27	Grand larceny	"	May 2, 1843.	April 18, 1846	"	Par'd April 13, '46
12	Chas. Covey f m c	23	" "	Lowndes	April 21, 1842	April 14, 1846	Georgia	
66	James Fannan	29	" "	Warren	May 12, 1843	May 4, 1846	England	
38	John Wintermot	40	Robbery	Adams	June 30, 1841	June 26, 1851	New York	Died May 6, '46
68	Napol'n B Ramsey	23	Larceny	Jasper	May 17, 1843	May 13, 1846	Maryland	
77	Jno S McLaughlin	23	"	Lafayette	June 7, 1844	May 27, 1846	New York	
29	John Folly	28	Bigamy	Adams	June 11, 1842	June 4, 1847	Ireland	" May 29, '46
10	Robert Strong	30	Negro stealing	"	June 17, 1845	Life	Mass.	" June 2, '46
79	James Scott	28	Larceny	"	June 11, 1844	June 6, 1846	Scotland	

70	Andrew C Snyder	26	Grand larceny	"	June 9, 1843	June 7, 1846	New York	
36	Wm W Wilson	22	Negro stealing	Pontotoc	May 16, 2841	May 20, 1851	Tennessee	" June 7, '46
80	Geo. W Edwards	26	Larceny	Warren	June 13, 1844	June 11, 1846	Ohio	
62	Wm. Winston	49	Manslaughter	Adams	June 17, 1845	June 12, 1847	Virginia	Par'd June 11, '46
39	John Taylor	42	Horsestealing	"	June 30, 1841	June 26, 1846	N. Carolina	
81	Weller Miller	37	Larceny	Hinds	July 5, 1344	July 15, 1846	Penn.	
69	David A C Hyatt	27	"	"	July 5, 1845	July 3, 1849	Ohio	Died July 27 '46
71	Mack Waters f m c	22	Grand larceny	Choctaw	Sept 28, 1843	Sep 25, 1846	Alabama	
27	Geo. W Riddings	27	Negro stealing	Hinds	Oct 20, 1843	Oct 15, 1850	N. Carolina	" Sept 29, '46
24	William Wev	40	Larceny	Wilkinson	Nov 9, 1841	Oct 21, 1846	Tennessee	Pard'd Oct 20, '46
83	Carter Dalton	53	Rec'd stol'n goods	Lowndes	Oct 24, 1844	Oct 25, 1846	Virginia	
85	Griffin Jackson	20	Larceny	Monroe	Nov 15, 1844	Nov 15, 1846	Mississippi	

BENJAMIN G. WEIR, Superintendent.

Attest: D. N. Barrows, Clerk.

Statement Showing the number of Convicts in the Mississippi State Penitentiary, November 30th, 1846.

NOS.	NAMES.	AGE.	CRIMES.	COUNTY WHERE CONDEMNED.	DATE OF ADMISSION.	EXPIRATION OF SENTENCE.	PLACE OF BIRTH.
1	John Frazier	20	Horse stealing	Hinds	Oct 31 1840	Oct 27 1850	North Carolina
2	Willis M Calcott	38	Manslaughter	Franklin	Sept 30 1846	Sept 28 1850	Mississippi
3	John Greeson	33	Robbery	Itawamba	April 15 1840	April 15 1850	Georgia
4	Dennis Vermillion	44	Grand larceny	Adams	Nov 19 1846	Nov 14 1851	D C
5	Daniel Knight	21	Negro stealing	Yazoo	Dec 2 1845	Nov 27 1855	South Carolina
6	Ephraim E Wilborn	26	Larceny	Monroe	May 8 1846	May 1 1851	Tennessee
7	Seaborn Sanford	29	Murder	Noxubee	April 26 1843	April 22 1853	Georgia
8	George Armstrong	40	Larceny	Harrison	April 22 1845	April 2 1850	Ireland
9	Stephen F Peak	26	Manslaughter	Marion	April 20 1844	April 11 1850	Mississippi
10	Newton A Gaylor	28	Larceny	Copiah	Nov 29 1846	Nov 28 1856	Tennessee
11	John Ferguson	36	Negro stealing	Holmes	Nov 8 1844	Nov 8 1854	Vermont
12	Joshua Hall	22	Larceny	Adams	June 2 1846	June 1 1851	Illinois
13	Benj S Reams	32	Grand larceny	"	Dec 20 1842	Dec 17 1846	Louisiana
14	James Cottenham	28	Assault to kill	Leake	Oct 8 1842	Oct 8 1848	Tennessee
15	John Ober	32	Burglary	Adams	June 17 1845	June 12 1851	Pennsylvania
16	William Brantly	23	Manslaughter	Warren	May 27 1845	May 7 1852	Alabama
17	Daniel Boyle	26	Larceny	Wilkinson	Oct 21 1843	Oct 6 1847	Ireland
18	Thomas C Brooks	55	Manslaughter	Itawamba	Nov 6 1844	Nov 6 1851	North Carolina
19	James Bradley	25	Assault to rape	Adams	June 2 1846	June 1 1851	Arkansas
20	Wm H Garrett	22	Negro stealing	Monroe	Nov 6 1843	Oct 27 1853	New York
21	George Tyler	18	" "	Hinds	Oct 10 1840	Oct 9 1850	Ohio

22	*Jas M Thomason	25	Forgery	Lowndes	Oct 23	1845	Oct 23 1850	Virginia
23	John B Wilson	26	Shooting to kill	Adams	Dec 28	1841	Dec 11 1851	Missouri
24	Joel Swinney	21	Grand larceny	Copiah	Nov 29	1846	Nov 28 1856	Alabama
25	William Smart	50	Rape	Harrison	Mar 13	1846	Mar 6 1856	Maine
26	Francis D Talcott	38	Negro stealing	Adams	June 9	1843	June 7 1855	Massachusetts
27	A Morris	35	Forgery	Lowndes	Oct 30	1846	Oct 30 1856	Virginia
28	Elijah Dick	43	Assaulting his wife	Monroe	May 15	1845	May 8 1852	South Carolina
29	William Mackin	22	Having count'ft money	Adams	June 2	1846	June 1 1854	Ireland
30	James A Hall	32	Assault to kill	Tippah	Oct 14	1845	Oct 2 1849	South Carolina
31	Lewis E Gayerre	34	Negro stealing	Noxubee	May 7	1845	April 25 1855	Louisiana
32	James F W Smith	42	Manslaughter	Panola	Nov 15	1846	Nov 6 1856	North Carolina
33	Isaac Tumey	31	Rape	Claiborne	June 24	1845	June 11 1865	Kentucky
34	G W Lipscomb	27	Manslaughter	Lafayette	Dec. 6	1843	Nov 28 1858	Virginia
35	Hosea McDermit	19	Larceny	Monroe	May 15	1845	May 6 1850	Georgia
36	Robert Parker	28	Manslaughter	Tishemingo	Sept 30	1846	Sept 10 1861	South Carolina
37	Andrew J Archer	31	Grand Larceny	Warren	July 8	1844	June 22 1849	Virginia
38	James Moore	27	Robbery	Adams	June 2	1846	June 1 1861	"
39	George W Scaggs	30	Manslaughter	Itawamba	Sept 25	1846	Sept 19 1871	Alabama
40	James M Buttorff	31	Larceny	Adams	June 30	1843	June 7 1851	Indiana
41	James Runnels	30	Negro stealing	Bolivar	Mar 20	1846	Mar 17 1856	New York
42	Jacob Crawford	33	Having forged notes	Adams	Dec 28	1841	Dec 11 1847	Kentucky
43	Jesse Ford	18	Negro stealing	Madison	May 28	1842	May 22 1852	Mississippi
44	Mathias Elmore	30	Manslaughter	Jasper	Jan 9	1842	Jan 7 1849	South Carolina
45	William Reese	31	Negro stealing	Lowndes	Oct 25	1844	Oct 25 1854	England
46	John S Hopkins	27	" "	Jefferson	May 12	1842	May 7 1854	New York
47	Samuel Henry	18	Manslaughter	Madison	May 14	1842	May 13 1847	Alabama
48	Edward H Cassady	27	Grand larceny	Warren	May 18	1842	May 14 1847	Pennsylvania

STATEMENT, showing the number of Convicts in the Mississippi State Penitentiary, November, 30, 1846.

NOS.	NAMES.	AGE.	CRIMES.	COUNTY WHERE CONDEMNED.	DATE OF ADMISSION.	EXPIRATION OF SENTENCE.	PLACE OF BIRTH.
49	Andrew Buill	62	Burglary	Adams	June 11 1844	June 6 1856	New York
50	Thomas Percell	29	Larceny	Warren	June 13 1844	June 12 1849	Ireland
51	John Harkley	106	Assault to kill	Adams	June 10 1843	June 7 1849	St. Domingo
52	John S Williams	19	Forgery	Hinds	April 24 1846	April 22 1848	Virginia
53	Robert Clements	22	Larceny	Greene	April 14 1845	April 14 1847	South Carolina
54	William Hill	29	"	Leake	Oct 11 1845	Oct 11 1847	Virginia
55	John Kooney	34	Assault to kill	Warren	Dec 12 1844	Nov 23 1847	Ireland
56	Frederick Rhodes	38	Grand larceny	Tishemingo	Oct 31 1842	Oct 12 1847	Austria
57	Abijah W Dunn	38	Manslaughter	Madison	March 12 1845	March 12 1847	Ohio
58	Peter West	43	Larceny	Marion	April 25 1845	April 17 1848	New York
59	Jas J White	42	Grand larceny	Leake	March 27 1846	March 25 1850	South Carolina
60	Daniel S McCoy	25	" "	Jackson	April 4 1843	March 29 1847	New York
61	Ernest Sims	20	Abetting to murder	Carroll	April 24 1845	April 24 1847	Mississippi
62	John Flake	25	Larceny	Tishemingo	Sept 30 1846	Sept 11 1848	Tennessee
63	Joseph H Johnson	29	"	Adams	June 2 1846	June 1 1850	Georgia
64	James Scott	42	"	"	" " "	June 1 1848	Pennsylvania
65	Charles Rhieter	38	Shooting to kill	Franklin	March 23 1846	March 19 1850	Hanover
66	Pendleton H Wells	21	Larceny	Adams	June 2 1846	June 1 1848	Mississippi
67	John F Teague	17	"	Monroe	May 15 1845	May 1 1849	South Carolina
68	Eber Rowe	24	"	Adams	June 2 1846	June 1 1850	New York
69	William Huff	29	"	Claiborne	Oct 22 1846	Oct 17 1848	Pennsylvania

70	William McKnight	23	Forgery	Claiborne	Oct 22 1846	Oct 17 1848	Ohio
71	George Crenshaw	24	Larceny	Lowndes	Oct 30 1846	Oct 30 1848	Virginia
72	Benjamin Bridges	60	Attempt to steal a slave	Simpson	Nov 14 1846	Nov 15 1849	South Carolina
73	Wm W Gray	21	Forgery	Tippah	April 21 1844	April 1 1849	Alabama
74	*Chas Covey f m c	27	Larceny	Warren	Nov 17 1846	Nov 16 1848	Georgia
75	James Cook	32	Manslaughter	Coahoma	April 25 1845	April 18 1849	Indiana
76	Wm D Nixon	34	"	Itawamba	April 27 1844	April 20 1854	South Carolina
77	Robt F Dillingham	26	Larceny	Warren	Nov 9 1846	Nov 9 1848	Virginia
78	Benjamin Flagg	21	Burglary	Adams	June 11 1844	June 6 1847	Scotland
79	John Holt	22	Manslaughter	Warren	Nov 9 1846	Oct 24 1848	Indian Nation
80	Daniel W Daniels	42	Perjury	Copiah	Nov 29 1836	Nov 28 1856	New York
81	John Davis	45	Grand larceny	Carroll	Nov 26 1846	Nov 21 1848	Georgia
82	John A Gardner	20	Larceny	Jasper	May 20 1845	May 27 1847	Massachusetts
83	Samuel P Howell	22	Forgery	Panola	Nov 29 1846	Nov 6 1851	Georgia
84	James Adams	55	Attempt to rape	Pike	Oct 31 1844	Oct 31 1849	Illinois
85	Hillery J Lanier	48	Larceny	Copiah	Nov 29 1846	Nov 28 1848	Louisiana
86	John Smith	20	Horse stealing	Lowndes	Oct 23 1845	Oct 23 1848	Tennessee
87	Chas W Dodson	23	Larceny	Carroll	Oct 24 1845	Oct 16 1847	England
88	James T Childress	25	Larceny and forgery	De Soto	Nov 26 1846	Nov 13 1852	Alabama
89	Pleasant Nichols	29	" "	"	" " "	" " "	Tennessee

*Committed to this prison for the second time.

BENJ. J. WEIR Superintendent.

Attest: D. N. Barrows, Clerk.

General statement of the Convicts in the Mississippi State Penitentiary, November 30, 1846.

Whole number received since first admission, April 15, 1840,	196
" " in confinement, December 1, 1845,	84
" " since received up to November 30, 1846	37
Discharged of this number by expiration of sentence,	17
" " " " " Executive pardon,	8
Deaths,	7
Remaining in confinment November 30, 1846.	89

FROM WHAT COUNTIES RECEIVED.

Hinds,	3	Claiborne,	4
Franklin,	2	Lafayette,	1
Itawamba,	4	Tishemingo,	2
Adams,	19	Bolivar,	1
Monroe,	5	Madison,	3
Noxubee,	2	Jasper,	2
Harrison,	2	Jefferson,	1
Marion,	2	Greene,	1
Copiah,	4	Jackson,	1
Holmes,	1	Carroll,	3
Leake,	3	Simpson,	1
Warren,	8	Coahoma,	1
Wilkinson	1	Pike,	1
Lowndes,	5	Desoto,	2
Tippah,	2		
Panola,	2	Total,	89

TERMS OF SENTENCE.

For 25 years,	1	For 6 years,	6
" 20 "	1	" 5 "	17
" 15 "	3	" 4 "	10
" 12 "	3	" 3 "	5
" 10 "	19	" 2 "	18
" 8 "	2		
" 7 "	4	Total,	89

AGE—WHEN COMMITTED.

From 17 to 20 years,	9	From 50 to 60 years,	3
" 20 to 30 "	42	" 60 to 70 "	2
" 30 to 40 "	23	" 70 to 106 "	1
" 40 to 50 "	9		
		Total	89

General statement of the Convicts in the Mississippi State Penitentiary, November 30, 1846.

CRIMES.

Horse stealing,	2	Forgery,	6
Manslaughter,	14	Rape,	2
Robbery,	2	Assault to kill his wife,	1
Grand larceny,	12	Hav'g count'ft money in poss'n	1
Negro stealing,	10	Having forged notes,	1
Petty larceny,	21	Abetting to murder,	1
Murder, (sentence commuted)	1	Attempt to steal a slave,	1
Assault to kill,	6	Perjury,	1
Burglary,	3	Larceny and forgery,	2
Assault to commit rape,	2		
		Total,	89

PLACE OF NATIVITY.

North Carolina,	3	New York,	8
Mississippi,	5	Ohio,	3
Georgia,	7	Virginia,	9
District of Columbia,	1	Missouri,	1
South Carolina,	10	Maine,	1
Tennessee,	6	Massachusetts,	2
Ireland,	5	Kentucky,	2
Vermont,	1	Indiana,	2
Illinois,	2	England,	2
Louisiana,	3	St. Domingo,	1
Pennsylvania,	4	Austria,	1
Alabama,	6	Hanover,	1
Arkansas,	1	Scotland,	1
Choctaw Indian nation,	1		
		Total,	89

OCCUPATIONS—WHEN COMMITTED.

School master,	1	Leather currier,	1
House carpenter,	3	Ship carpenter,	1
Saddler,	1	Painter,	1
Carriage maker,	1	Sailor,	1
Blacksmiths,	6	Stone mason,	1
Harness maker,	1	Spinner,	1
Wheelwrights,	2	Cabinet maker,	1
Physicians,	2	Without trades or professions,	60
Tailors,	2		
Shoemakers,	3	Total,	89

BENJAMIN G. WEIR. Superintendent.

Attest, D. N. Barrows, Clerk.

Statement, [C] showing the operations and condition of the Mississippi State Penitentiary, from the 1st December, 1845, to the 30th November, 1846.

MANUFACTURED ARTICLES,

1845.		DR.
Dec. 1	To stock on hand this day, - -	$5909 60
	" amount charged this account since,	6263 43
		12,173 03

1846.		CR.
Nov.30	By amount sold for cash, - -	$5540 91
	" " stock on hand, - -	6163 00
	" balance being lost by this account, -	469 12
		12,173 03

BLACKSMITH SHOP.

1845.		DR.
Dec. 1	To stock and tools on hand, - -	$1143 22
	" " " since purchased, -	2119 88
	" balance gained by this account -	2182 45
		5445 55

1846.		CR.
Nov.30	By amount received and charged to date,	$3670 18
	" " stock and tools on hand, -	1775 37
		5445 55

WHEELWRIGHT SHOP.

1845.		DR.
Dec. 1	To stock and tools on hand, - -	$ 2279 50
	" " " since purchased, -	4771 14
	" balance gained by this account, -	3953 71
		11,004 35

1846.		CR.
Nov.30	By amount received and charged to date,	$ 7069 94
	" „ stock and tools on hand, -	3934 41
		11,004 35

Statement C—Continued.

SHOEMAKERS SHOP.

1845.		DR.
Dec. 1	To stock and tools on hand, - - -	$184 04
	" " " since purcharsed, -	804 24
	" balance gained by this account, -	576 10
		1,564 38

1846.		CR.
Nov.30	By amount received and charged to date,	$1422 38
	" " stock and tools on hand, -	142 00
		1564 38

WEAVERS, TAILORS, AND WOOL-CARDERS.

1845.		DR.
Dec. 1	To stock on hand, - - -	$ 1269 75
	" " since purchased, - -	242 86
	" balance gained by this account, -	1239 77
		2752 38

1846.		CR.
Nov.30	By amount received and charged to date,	$ 1236 43
	" " stock and tools on hand, -	1515 95
		2752 38

BRICK YARD.

1845.		DR.
Dec. 1	To stock and tools on hand, - -	$ 745 50
	" " " since purchased, -	251 50
	" balance gained by this account, -	5209 66
		6206 66

Nov.20	By amount received and charged to date,	$5420 66
	" " stock and tools on hand, -	786 00
		6206 66

Statement C—Continued.

STATE OF MISSISSIPPI.

1845.		DR.
Dec. 1	To stock on hand, (convicts' clothing,)	$18 75
	" amount charged to account to this date,	6166 79
	" balance, - - -	6573 73
		12,759 27

1846.		CR.
Nov.30	By amount drafts drawn on Auditor, -	$12,706 27
	" stock on hand, (convicts' clothing)	53 00
		12,759 27

FORAGE AND FUEL ACCOUNT.

1845.		DR.
Dec. 1	To stock on hand, - - -	$400 00
	" amount purchased since, - -	803 59
		1203 59

1846.		CR.
Nov.30	By stock on hand, - - -	$182 50
	" balance being amount consumed, -	1021 09
		1203 59

PROVISIONS ACCOUNT.

1845.		DR.
Dec. 1	To stock on hand, - - -	$ 485 50
	" amount since purchased, - -	3902 23
		4387 73

1846.		CR.
Nov.30	By amount credited for hogs sold, -	$159 12
	" " stock on hand, - - -	758 00
	" balance being amount consumed, -	3470 61
		4387 73

Statement C—Continued.

HOSPITAL ACCOUNT.

1845.		DR.
Dec. 1	To stock on hand,	$ 77 75
	" amount since puarchased,	139 84
		217 59

1846.		CR.
Nov.30	By stock on hand,	$87 00
	" balance being amount consumed,	130 59
		217 59

FURNITURE ACCOUNT.

1845.		DR.
Dec. 1	To stock on hand,	$ 1417 50
	" balance gained by this account,	31 00
		1448 50

1846.		CR.
Nov.30	By stock on hand,	$ 1448 50
		1448 50

NEW ENGINE AND MACHINERY ACCOUNT.

1846.		DR.
July 31	To cost of engine, boiler, pipes, &c. &c.	$1850 00
	" freight and cost of erecting same,	963 34
		2813 34

1846.		CR.
Nov.30	By engine, boiler, &c., on hand,	$2813 34
		2813 34

Statement C—Continued.

RECAPITULATION.

INCOME.

Amount gained in	blacksmith shop, - -	$2182 45
" "	wheelwrights shop, - -	3953 71
" "	shoemakers shop, - -	576 10
" "	weavers, tailors, & carders shop,	1239 77
" "	brick yard, - - -	5209 66
" "	job and out-door work, -	1703 25
" "	furniture account, - -	31 00
"	received from the State, - - -	6573 73
"	stock and tools on hand Nov. 30, 1846.	19,659 07
"	cash on hand Nov. 30, 1846.	354 29
		44,671 03

EXPENDITURES.

Amount	lost on sales of manufactured articles,	$ 469 12
"	forage and fuel account, - - -	1021 09
"	provision account, - - - -	3470 61
"	hospital account, - - - -	130 59
"	discharged convicts, - - -	341 00
"	books and stationery, - - -	21 40
"	contingent expenses, - - -	1325 80
"	inspectors per diem, - - -	120 00
"	freight and hauling, - - -	190 49
"	officers salaries, - - - -	3980 00
"	guards and master-workmen salaries,	4119 25
"	oil and lights account, - - -	369 45
"	stock and tools on hand Dec. 1, 1845,	13,931 12
"	cash on hand Dec. 1, 1845, - -	3359 37
"	to balance, - - - - -	11,821 74
		44,671 03

NOTE.—The above balance of $11,821 74 being deducted from the amount received from the State treasury, shows an actual loss for the year ending November 30th, 1846, of $884 53.

Respectfully submitted,

BENJAMIN G. WEIR, Superintendent.

Attest: DAVID N. BARROWS, Clerk.

REPORT.

MISSISSIPPI PENITENTIARY,

CLERK'S OFFICE,
DECEMBER 13th, 1847.

To his Excellency, A. G. Brown,
Governor of the State of Mississippi:

SIR—In compliance with the directions of the board of inspectors, I hand you herewith their annual report, together with that of the superintendent and physician for the fiscal year, ending Novemher 30th, 1847.

I also transmit an account current from the commencement of the year (Dec. 1st, 1846,) up to the 10th of May last, when Major Weir resigned his office as superintendent, and another account current from that time up to the close of the year.

Accompanying these reports will be found tables prepared with care, giving the details and particulars in regard to the names, number, age, place of conviction, &c., &c., of the convicts, who have been received or discharged in the past year, and the number now in confinement.

I have prepared an account current and a statement of the amount of stock, tools, and cash on hand, which will be sworn to and filed in the auditor's office as the law directs.

The great amount of labor incumbent upon me in closing the books twice during the year, and the unusual length of the reports has rendered it impossible for me to present them at an earlier day.

I have the honor to be with high regard,

Your obedient servant,
D. N. BARROWS, *Clerk.*

INSPECTORS OFFICE,
MISSISSIPPI PENITENTIARY,
December 13th, 1847.

To his Excellency, A. G. Brown,
Governor of the State of Mississippi:

SIR:—The inspectors take pleasure in stating that this institution continues in as healthy and prosperous condition as could have been reasonably expected. Many difficulties have intervened in endeavoring to carry out the provisions of the act of 1846, and give a new direction to the labor of the convicts. For several months after the passage of that act, the business of the prison became greatly diminished, and the various departments of industry afforded but little assurances of profit, which we easily traced to a false impression made on the public mind, that an immediate change had taken place in the affairs of the institution, and its usual operations had ceased under the provisions of the act to which we have referred. In time, however, the community were better informed, and we again witnessed the signs of prosperity.

For the financial condition of the prison and its statistics, we beg leave to refer your excellency, without comment, to the several reports and documents which accompany this report.

We deem it proper to recommend the propriety of providing by law, that an inventory of the stock of the institution shall be taken at the end of each fiscal year. Three or more appraisers might be appointed by the inspectors to value the stock, to the end that a just and true estimate might be made, and the profit and loss of the establishment might be more fairly ascertained. It is perhaps not out of place to remark, that the superintendent fully coincides with the board of inspectors as to the importance of this recommendation.

We have much reason to be satisfied with the general management of the institution. The officers have been vigilant and active in the discharge of their duties; and while we do not feel at liberty to urge the propriety of increasing their salaries, we are assured that a more liberal compensation would always command the services of faithful and efficient officers; and while we would not discriminate or indulge in any invidious comparisons between those who now control the establishment, we deem it our duty to direct attention to the neat, correct, and elegant manner in

which the clerk has kept the books of the institution. His duties are certainly onerous, and the small salary which he receives is but a poor compensation for the labor imposed.

It is deemed proper to call the attention of your excellency to such improvements as may be safely engrafted on the present system by which the institution is regulated. We are convinced that it would promote the welfare of the prison to restore the provisions of the old law under which the principal officers were elected for four years. The present tenure of office, it is believed is too limited. The reasons which have led to this conclusion, are many and cogent, but cannot be detailed without transcending the limits assigned to this report. The officers should be men of experience and practical ability. The fewest number indeed could be selected, who could enter at once upon the active duties of such an establishment, and meet the expectations of the public, without some previous knowledge of prison discipline, and the power of well directed labor. The period then for which an officer should be elected should be sufficient to enable him to become an able and experienced agent. He should not be liable without just cause of complaint, to removal at the expiration of two years, and at a time when his experience would render him efficient. We would therefore respectfully recommend that the superintendent, assistant keeper, and clerk, should be chosen for a term of four years, believing it would be wise and politic.

The attention of your excellency is invited to another subject which the inspectors have had under serious consideration. A majority of our board are fully persuaded that the interests of the institution demand, that the assistant keeper and the clerk should be appointed by the superintendent, by and with the advice and consent of the inspectors. It is thought that while the responsibility of managing the prison rests entirely on the superintendent, the power of appointing these officers should be vested in him, to the end, that his views might be fully carried out, and all his orders faithfully executed. He should be held accountable for the conduct of all who may be under his control, which would doubtless elicit his constant and unceasing energies in the exercise of his authority. Under the present system of electing the assistant and clerk, the operations of the institution may be often impeded and the best efforts of the superintendent frustrated, in the event the assistant keeper should ever become unmindful of the rights

of his superior, and refuse to execute his orders. It is evident under such a state of circumstances, the welfare of the prison would languish, and the arm of industry become paralysed. The honest efforts of the superintendent might prove vain and fruitless, and while the whole responsibility of controlling the prison is fixed on him, it is conceived that he should be clothed with a power commensurate with that responsibility. The clerks of our courts of justice appoint their own deputies. The sheriffs do likewise. The principals are responsible to the State, and the deputies to their respective principals. If this power of appointment was vested in the superintendent, and properly guarded, it would cause a unity of sentiment and action, so essential to the success of every important enterprize on the part of society or individuals. In a public prison, the officers should as it were, have one mind. There must be a controlling power, by which the whole machinery of government should be put into harmonious and vigorous action.

It is also advisable that an express authority should be given to the superintendent to so alter or arrange the main building connected with the prison, as to have a large and commodious store room to deposite the various articles manufactured for sale, so as to avoid the necessity of purchasers going within the walls of the prison. This improvement might be conveniently made, and with but little expense, as it might be done through the aid of the labor of the prisoners. If the superintendent, under the direction of the inspectors, should deem it best to erect a suitable building without the walls for this purpose, such an authority might be reasonably afforded, as it would probably involve no greater expense, the same kind of labor being employed in the erection of such edifice. Some provision of the kind will be demanded, particularly, when the machinery we have purchased shall be put into full operation, and when it is expected a large quantity of cotton and woollen goods will be manufactured for sale. If the articles for sale were placed without the walls, much of the time of the officers would be saved, in going the rounds of the shops attending upon the great number of daily visitors. Too many, it is believed obtain egress to the prison, with no other view than gratifying their curiosity. It is apparent much injury might result from such general and indiscriminate visitation. Aside from evils which it is needless to mention, arising from such a source, it is evident some

wholesome restriction should be laid on all visitors. The fewer the number admitted the better. The attention of the convicts should be attracted as little as possible; they would probably be more easily controled and pursue their labors with more alacrity and profit.

The prison has been blessed, during the past year, with unusual health. This is to be mainly attributed to cleanliness and wholesome diet. Under the advice of our excellent physician, particular attention has been given to the physical wants of the prisoners. Their clothing, though coarse, is every way comfortable; their cells are clean and well ventilated. While on this subject, it is proper that we should state the urgent necessity of erecting a building within the walls suitable for a hospital. In case there should be an epidemic in the prison, it would be essential in arresting its progress, that the sick should be separated from the rest. This improvement is recommended on the score of humanity and policy, and we doubt not that it will meet with the sanction of your Excellency and the legislature which will shortly convene.

The most important duty with which the late superintendent was charged, under the direction of the board of inspectors, was accompanied with many embarrassments. In carrying into effect the general provisions of the act of 1846, time was necessarily required. With but little available means, other than the appropriation of four thousand dollars for the purchase of machinery, the superintendent was compelled to resort to the resources of the prison in order to effectuate the intention, if not the very letter of the law. A new direction was to be given to labor. The business of the institution was to run in another channel. An experiment was to be made. Means were required to do it. A sudden change could not have been effected even had the means been ample. Suitable buildings and fixtures were to be erected. The necessary machinery had to be ordered and constructed. All which, of course, rendered it impossible to execute at once the intention of the legislature. We are assured that no unnecessary delay has occurred in carrying out the provisions of the law. At an early day after the adjournment of the last legislature, the attention of the superintendent was directed to the act of 1846. Immediate steps were taken to accomplish the end it proposed. All the hands which could be conveniently engaged, were employed in moulding and burning bricks

for the purpose of erecting a suitable edifice for the reception of the engine and machinery directed to be purchased. Many thousand bricks were to be manufactured to erect the building required. As soon as the materials were made ready, the foundation was laid and the walls erected with as little delay as possible, but several months elapsed, however, before the edifice was completed. It is a strong and durable piece of workmanship, and fully answers the description given in the act, being large enough to accommodate more than eighty working hands. Let it be remembered that the whole scope and design of the act of 1846, was to apply the labor of the convicts in manufacturing coarse woollen and cotton goods. While the legislature appropriated the sum of four thousand dollars to the purchase of machinery, the superintendent was authorized and required by the sixth section of the act, to sell the manufactured articles on hand to aid in the proposed change of labor. As early as June, 1846, a special agent was despatched to the north, clothed with authority to purchase the necessary machinery. It was soon ascertained that the sum of four thousand dollars was inadequate for such purpose. In the absence of direct legislative instruction, it was believed, on a liberal construction of the law, and the evident intention of the act, that it was never contemplated that the sum of four thousand dollars, and no more, should be applied to the purchase of machinery. Such an opinion seems fully justified by not only the letter, but the spirit of the act. The authority given to the superintendent to sell the manufactured articles on hand to aid in the proposed change of labor, sustains this view. It stands, also, supported by reason and policy. It can be demonstrated, were it necessary, that machinery which would only cost four thousand dollars, would have been a most useless expenditure, and would have resulted in a dead loss to the State. Believing, then, that the legislature contemplated making a fair experiment, and finding the sum appropriated out of the treasury insufficient for the purpose, such machinery as was required, was ordered to be made, relying on the funds arising from the sale of articles manufactured in the prison to realize the balance of cost over and above the sum of four thousand dollars. Nearly eighteen months elapsed before the machinery was constructed and delivered. It arrived here in August last, and a machinist was employed immediately to put it up. Again we

were delayed, the manufacturers having neglected to make the necessary shafts to connect it with the engine which had been previously erected. They were immediately ordered to be cast at the Vicksburg foundry, but nearly two months passed before they were made.

The inspectors have evry reason to believe that the experiment about being tried will prove eminently successful. In this opinion they may be deluded; but if there is any force in arguing from analogy, the manufacturing of cotton and woollen goods must prove a profitable business. We have plenty of the raw material at home, and the fabrics will find a ready sale. There are few branches of labor which will yield a better profit than that which usually arises from manufactures. With the simple expression of this opinion, we submit the subject to the enlightened consideration of your Excellency.

The inspectors cannot close this report without making an earnest appeal in behalf of moral and intellectual culture. In the prevention of crime, it is important not to overlook the reform of the criminal. Experience teaches, that punishment alone will not affect this reform. There is no genial influence in rigorous confinement, or in labor which has no reward. Many plans have been proposed and systems originated for the reformation of criminals while undergoing the sentence of the law, but none have been sufficiently tested for us to venture in recommending their adoption. However we may be at fault in not being able to propose a system which would be free from objection, or which would tend to accomplish with any certainty so desirable a result as the reformation of an offender, still we know there is a great instrument of reform to be found in moral and intellectual culture. While rewards would be vain, and punishments aggravate evil dispositions, the veriest depths of vice may be broken up by cultivating that moral sense which we believe animates the bosom of humanity. Let, then, the prisoner be provided with the means of obtaining wholesome moral instruction. Above all, let no Sabbath pass without the Bible being placed in their hands, and let them be fully instructed by the ministers of the gospel, and doubtless the most benign results will follow, for the spirit of truth will move in the depths of the most benighted intellect.

The institution has already experienced the generous influence of moral instructions. It is much indebted to the

efforts of the ministers of the various christian denominations of this city, who have attended the prison from Sabbath to Sabbath, to teach and expound that law by which we will all be tried in the great hereafter. Prisoners are under the absolute control of the State, and it is responsible for their tutelage. It is then the duty of the State, to do every thing in its power to advance the social and moral condition of the offenders, whose crimes have deprived them of liberty, and doomed them to hard labor within the walls of a prison. We cannot doubt, therefore, that this branch of our report, will command the earnest and serious consideration of your Excellency.

All of which is respectfully submitted.

(Signed) RICH'D. P. WINSLOW,
J. C. FORREST,
CHAS. SCOTT,
Inspectors.

Attest: DAVID NYE BARROWS, Sec'y.

SUPERINTENDENT'S OFFICE,
MISSISSIPPI PENITENTIARY,
December 8th, 1847.

To the Board of Inspectors of the Mississippi Penitentiary.

GENTLEMEN—In accordance with law, it becomes my duty as superintendent of this institution, to present to you its present condition and transactions during the year ending 30th of November, 1847.

Upon being appointed to the office of superintendent, I felt deeply impressed with the confidence reposed in me, and have ever since endeavored to deserve it; how far I have succeeded is more properly your province to determine.

Having so recently taken charge of the institution, a stranger to you and the other officers, without any experience in prison discipline, it will scarcely be expected that I should at this time make an elaborate report. I hope, however, as my mind has, for the last few months, been necessarily turned to the subject of prison discipline and the proper management of the inmates of such institutions, to effect the great object of their establishment, that I may

be indulged in a few remarks upon those subjects before entering upon the general statistics.

It is now, I believe, generally conceded and recognised as an established axiom, that the certainty, rather than the severity of the punishment, is the most salutary in preventing the commission of crime; and the same is true, in my judgment, in effecting the reformation of the convicted, which is the greatest consideration next to the public safety in the establishment of state prisons.

In our intercourse with the criminal, it should ever be borne in mind, that however varied our situations, we are, nevertheless, members of the same great family, and ultimately accountable to the same God; and whilst a morbid sympathy for the sufferings of the prisoner, regardless of the crime committed, would be highly reprehensible, a judicious modification of the requirements of the law would tend to convince its subjects, that they were intended for their benefit. Let those who contend for a more sanguinary discipline—that the greatest cruelty is productive of the greatest punishment—reflect and inquire of themselves, if it is not possible, by excess of severity, to so blunt the sensibility as to incapacitate the prisoner to be punished at all. If being doomed to hard labor, and confined to the monotonous scenes that transpire within the walls of a prison—shut out from friends and the exterior world, be not sufficient punishment, a more sanguinary mode may well be questioned. Coercive measures may be, and doubtless are, in extreme cases, sometimes necessary; yet, when the offender is conscious of guilt on his part, and a disinclination on the part of those controlling him to inflict severe punishment, except when imperiously required, it creates no spirit of revenge in the breast of the chastised; but when a disposition is manifested by the officers to inflict severe punishment, it is productive of harm. Severe coercive measures may compel, but seldom reform.

Entertaining these views, and seconded by inclination, I resolved upon entering upon the discharge of my duty, to endeavor to govern, so far as it should be in my power, by the law of kindness and humanity; such government appearing to me, not only to embrace the benevolent spirit of the age, but authorised by every principle of philanthrophy and sound philosophy, and unless I have greatly mistaken the human character, best calculated to exert a favorable influence upon the minds of the convicts, at least

such as are not entirely depraved. Thus have I been actuated in my control here, and the good deportment of the inmates admonishes me that my efforts have not been entirely lost; for since I took charge, the prisoners have been, with a very few exceptions, obedient and faithful. For these results, however, I owe much to the watchful vigilance of the assistant-keeper and the faithfulness of the guards, who also brought to my aid the experience of my predecessor, thereby rendering the labor of government on my part comparatively light.

It is a source of much gratification, that the prisoners have been, in a great degree, exempt from disease during the last summer and fall; this exemption will contrast most favorably with any portion of country during the same period. For particulars, I refer you to the report of our excellent physician hereto appended.

The building heretofore occupied as a dwelling, to which I but recently called your attention, is in a dilapidated condition; the walls have given away considerably: this I have not been able to remedy; it is generally attributed to the weight of the dome.

The prison and prison yard have been thoroughly repaired and cleansed; the timbers had decayed in many of the cells; they have been repaired and the cells made secure. The prison-yard has been paved, with convenient drains, and necessary pavements have been erected outside and in front of the main building. Most of these improvements were made by your advice, and all of them were obviously necesary to comfort and cleanliness. By order of the city authorities, a pavement has been made the whole extent of the penitentiary lot on the south side.

In obedience to an act of the legislature having for its object a change of convict labor, my predecessor erected a factory building of brick, three stories high, eighty-eight feet long by forty-four in width; and engaged of Messrs. Rogers, Ketchum & Grosvenor, of Patterson, N. J., the machinery necessary for carding and spinning coarse cotton thread to a considerable extent. Every effort has been made to carry out his plans. I had supposed until the machinist came out in August last, that all the fixtures necessary to run it, together with power-looms, were ordered; upon being informed that they were not, it was at once made known to your board, upon whose authority I immediately repaired to Vicksburg and engaged the making of the shafts and oth-

er necessary fixtures at the Vicksburg foundry. Notwithstanding every possible vigilance, it has not all been received yet, though it is believed that we shall be carding and spinning in twenty days; it is confidently expected from present appearances that the machinery will perform well.

The machinist estimates that from three to five hundred pounds of cotton per day may be carded and spun; and with the assistance of power-looms, it is but reasonable to suppose that we could make from seven to eight hundred yards of cloth daily. This would pay well, and in a short time not only reimburse the State, but greatly improve the finances of the prison, which have been so much crippled by its erection. It is to be hoped that the legislature will afford the means necessary to the consummation of an end so desirable. It is estimated that nine power-looms will be sufficient.

With but four thousand dollars appropriated by the legislature (an amount wholly inadequate to the purchase of machienry,) it has dragged rather heavily.

The factory erected cost, : :	$8115 75
The engine purchased and in operation cost	2,813 34
The machinery purchased in New Jersey including freight and charges, cost :	6,471 89
The machinery purchased in Vicksburg and not yet received, and the freight hither, will not cost less than : : : :	1,000 00
	$18,400 98

To which may be added the labor that it has taken to erect the machinery, all of which, except four thousand dollars, has been extracted from the ordinary business of the institution.

In this connection, I take the liberty to suggest the propriety of providing an engine with suction hose. One is obviously necessary to prevent destruction by fire where there is so much combustible matter. It is estimated that from three to five hundred dollars will purchase a suitable one, which small amount might save much to the State.

There has generally been divine service in the prison on Sabbath day; several of the prisoners desired to be immersed, and a fount was erected for that purpose. It appears to be a source of profoundest gratification to most of them to know, that there are those, who notwitstanding their debased condition, care for them in a spiritual point of view; and I take this occasion to acknowledge my obligations to

the clergymen of this city and its vicinity, for their kind attention as such to the prisoners; they have in a great measure supplied the place of a chaplain, an officer so much needed in this and every similar institution.

The prisoners have generally been comfortably clad, their food has been somewhat varied to suit the season of the year; care has been taken to procure for their use the best and soundest meat; this was suggested not only by duty but economy, and has I believe materially aided in their easy control, and has doubtless been advantageous to heir health. I am sure the utmost economy has been used, yet the provision account is large, owing to the unusual high price of meat and corn during the last year.

It should be borne in mind however, that in addition to the prisoners, there are twelve guards constantly supported by the institution, for which they receive $5 00 less per month as wages.

There is now in the penitentiary 85 convicts, three of whom were received on the last day of the year; four less than at the last annual report. This fact is worthy of notice, and must surely be a source of peculiar felicitation to every lover of good order, to reflect, that notwitstanding the rapid increase of our growing State and population, the number of convicts in our State prison is diminishing.

No escape has been made from the prison during the year; but one attempt is known to have been made. No. 10 attempted to scale the walls, and was shot by the guard and wounded in the arm.

There have been during the year, 24 committed; 3 have died; 14 have been pardoned by the governor; 8 have gone out by expiration of sentence, and 3 sent back by writ of error.

For the operations of the institution from the commencement of the fiscal year, up to the 10th of May last, the day that my predecessor resigned, I refer you to document marked A, as taken from the clerk's books.

I took charge on the 11th of May last, since which time the convicts have generally been employed as follows, to-wit:

In Weeelwright shop	13	Driving teams	1
" Blacksmith "	7	Gardening	2
" Shoemakers "	9	Cooking	3
" Weavers T & W. C.	9	Washing	2
" Painting & carriage	4	Sweeping & cleaning	2

" Cutting wood, &c.	6	Old and infirm : : : :	2
" Brick yard : :	18	Deranged : : : : :	1
At Engine and grinding	3	Average confined sick :	3

Whole number in prison Nov. 30th, 1847, : : : : 85

The business of the institution has progressed harmoniously since I took charge on the 11th May last. The annexed statement marked B will exhibit the transactions from that day until 30th Nov. last, inclusive. It will be seen that the account made up to the time Major Weir resigned, shows a considerable loss, whilst the account since that time shows considerable gain; this is easily accounted for; the first six months of the fiscal year are always the most unprofitable, as the brick making, the heaviest branch of industry and the most profitable, does not commence generally before the last of May; the business of the several workshops has also very much increased for the last five or six months; taking the transactions of the whole year together, they show a net gain of $85 10.

There have been paid of debts due and unpaid on 11th of May last $50 63, which amount is included in the expenditures.

Annexed you will find tables giving all necessary information relative to convicts.

In conclusion gentlemen, I will only add that to you, as well as to the very efficient clerk, I owe much for kind attention and advice always so freely given, as also to the assistant keeper and other ministerial officers, for their vigilance; all have I believe, acted harmoniously, and for ought I know, the best and kindest feelings exist between them.

All of which is respectfully submitted,

[Signed] JAS. W. WADE,
Superintendent.

PHYSICIAN'S REPORT.

Mississippi Penitentiary,
Nov. 25th, 1847.

To the Inspectors of the Mississippi Penitentiary,

Gentlemen—The health of the prisoners during the past year, with the exception of January, February, and March, has been unusually good. The prevailing diseases have

been Diarrhœa, both acute and chronic, Dysentery and catarrhal fever. A few mild cases of intermittant and remittant fevers were noticed in the summer, but throughout the year, the prison has been comparatively exempt from any acute form of disease that has not yielded readily to medical treatment. From December to the first of April, there were many cases of Diarrhœa and Dysentery, but they were generally mild and in no instance proved fatal.

Three deaths have occured from the beginning of the present year up to this date; they were all three the result of chronic diseases contracted years previous to the convicts entering the prison.

I would again call the attention of the inspectors to the erection of a hospital; the building which is now used for the purpose, would but indifferently answer should an epidemic break out, or disease of any kind prevail in the prison to any great extent.

Very Respectfully,

[Signed] WM. S. LANGLEY.

BOARD OF INSPECTORS.

RICHARD P. WINSLOW,
JAMES C. FORREST,
CHARLES SCOTT.

SUPERINTENDENT,

JAMES W. WADE.

ASSISTANT KEEPER.

JOHN F. PRICE.

CLERK,

DAVID N. BARROWS.

PHYSICIAN AND SURGEON,

WILLIAM S. LANGLEY.

STATEMENT showing the number of Convicts sent back by writs of error, discharged by expiration of sentence, pardon and death, at the Mississippi Penitentiary, during the year ending Nov. 30, 1847.

Nos.	Names.	Age.	Crimes.	County where condemned.	Date of admission.	Expiration of sentence.	Place of birth.	Remarks.
13	Benj S. Rheams	32	Grand larceny	Adams	Dec. 20, '42	Dec. 17, '46	Louisiana	
61	Earnest Sims (*a*)	20	Abetting murder	Carroll	Apr. 24, '45	Apr. 24, '47	Mississippi	Pard. Dec. 24, '46
14	Jas. Cottenham (*b*)	28	Assault to kill	Leake	Oct. 8, '42	Oct. 8, '48	Tennessee	do Jan. 29, '47
57	Abijah W. Dunn (*c*)	38	Manslaughter	Madison	Mar. 12, '45	Mch. 12, '47	Ohio	do. Feb. 11, '47
39	Geo. W. Scaggs*	30	do	Itawamba	Sep. 25, '46	Sep. 19, '71	Alabama	Sent back Fb. 17, '47
62	John Flake	25	Larceny	Tishemingo	Sep. 30, '46	Sep. 11, '48	Tennessee	Died Mar'h. 11, '47
33	Isaac Turney	31	Rape	Claiborne	June 24, '45	Jun. 11, '65	Kentucky	Sent b'k Mh. 23, '47
54	William Hill (*d*)	29	Larceny	Leake	Oct. 11, '45	Oct. 11, '47	Virginia	Pard. Mar. 26, '47
8	Geo. Armstrong (*e*)	40	do	Harrison	Apr. 22, '45	Apr. 2, '50	Ireland	do Mar. 25, '47
60	Danl. S. M'Coy (*f*)	25	Grand larceny	Jackson	Apr. 4, '43	Mar. 29, '47	New York	do " 27, '47
27	A. Morris*	35	Forgery	Lowndes	Oct. 30, '46	Oct. 30, '56	Virginia	Sent bk Mh. 30, '47
47	Samuel Henry (*g*)	18	Manslaughter	Madison	May 14, '42	May 14, '47	Alabama	Pard. April 5, '47
53	Robt. Clements	22	Larceny	Green	Apr. 14, '45	Apr. 14, '47	S. Carolina	
46	Jn. S. Hopkins (*h*)	27	Negro stealing	Jefferson	May 12, '42	May 7, '54	New York	Pard. May 1, '47
48	Edw'd. S. Cassada	27	Grand larceny	Warren	" 18, '42	May 14, '47	Pennsylvauia	
88	Jas. T. Childress	25	Larceny & forg'y	De Soto	Nov. 26, '46	Nov. 13, '52	Alabama	Died May 15, '47
82	Jn. A. Gardner	20	Larceny	Jasper	May 20, '45	May 27, '47	Massachusets	
78	Benj. Flagg	21	Burglary	Adams	June 11, '47	Jun. 6, '47	Scotland	
25	William Smart (*i*)	50	Rape	Harrison	Mch. 13, '46	Mar. 6, '56	Maine	Pard. July 5, '47
7	Seaborn Sanford (*j*)	29	Murder sen. com.	Noxubee	Apr. 26, '43	Apr. 22, '53	Georgia	do July 6, '47

23	Jn. B. Wilson (*k*)	26	Shooting to kill	Adams	Dec. 28, '41	Dec. 11, '51	Missouri	Pard. July 19, '47
84	Jas. Adams	55	Rape	Pike	Oct. 31, '44	Oct. 31, '49	Illinois	Died July, 20, '47
65	Chs. Rhieter (*l*)	38	Shooting to kill	Franklin	Mar. 23, '46	Mar. 19, '50	Hanover	Pard. Jul., 30, '47
17	Daniel Boyle	26	Larceny	Wilkinson	Oct. 21, '43	Oct. 6, '47	Ireland	
2	W. M. Calcotte (*m*)	38	Manslaughter	Franklin	Sep. 30, '46	Sep. 28, '50	Mississippi	Pard. Oct. 8, '47
56	Frederick Rhodes	38	Grand larceny	Tishemingo	Oct. 31, '42	Oct. 12, '47	Austria	
87	Chas. W. Dodson	23	Larceny	Carroll	Oct. 24, '41	Oct. 16, '47	England	
55	John Kooney (*n*)	34	Assault to kill	Warren	Dec. 12, '44	Nov. 23, '47	Ireland	Pard. No. 22, '47

NOTE. *Sent back by High Court.

Reasons for Pardon.—(*a*) Strong probability of being innocent. (*b*) Becoming insane. (*c*) Good conduct while in prison. (*d*) Prevented a convict from killing a guard. (*e*) Strong probability of being innocent. (*f*) Evidence of reformation of character. (*g*) Good behavior while in prison. (*h*) To leave the State and not return. (*i*) Erroneously convicted. (*j*) Further confinement would be injurious. (*k*) Offence attoned for and justice satisfied. (*l*) Commission of the offence very doubtful. (*m*) Offence atoned for and justice satisfied. (*n*) Good conduct while in prison.

J. W. WADE, Superintendent.

Attest: D. N. BARROWS, Clerk.

STATEMENT Showing the number of Convicts in

No.	Names	Age	Crimes
1	John Frazier	20	Horse Stealing
2	Robert Brown	21	Manshaughter
3	John Greesou	33	Robbery
4	Dennis Vermillion	44	Grand Larceny
5	Daniel Knight	21	Negro Stealing
6	Ephraim E. Wilborn	26	Larceny
8	John Bradley	30	Assault to kill
9	Stephen F Peak	26	Manslaughter
10	Newton A Gaylor	28	Larceny
11	John Furguson	36	Negro Stealing
12	Joshua Hall	22	Larceny
13	Pleasant Nicholas	29	Larceny and F
14	Michael Cupp	34	Altering marks
15	John Ober	32	Burglary
16	Wm Brantly	23	Manslaughter
17	Wm Lockard	34	"
18	Thomas C Brooks	55	"
19	James Bradley	25	Assault to rape
20	Wm H Garrett	22	Negro Stealing
21	Geo Tyler	18	" "
22	*Jas M Thomason	25	Forgery
23	Thadeous W Gilder	27	Negro Stealing
24	Joel Swiney	21	Grand Larceny
25	James Cartright	49	Assault to kill
26	Francis D Talcott	38	Negro Stealing
28	Elijah Dick	43	Assaulting his wife
29	Wm Mackin	22	Having counterfeit money,
30	Jas A Hall	32	Assault to kill
31	Louis E Gayerre	34	Negro Stealing
32	Jas F W Smith	42	Manslaughter
34	G W Lipscomb	27	"
35	Hosea McDermit	19	Larceny
36	Robert Parker	28	Manshaughter
37	Andrew J Archer	31	Grand Larceny
38	James Moore	27	Robbery
39	Benj Hailman	30	Negro Stealing
40	Jas M Buttorff	31	Larceny
41	Jas Runnels	30	Negro Stealing
42	Jacob Crawford	33	Having forged notes

Mississippi State Penitentiary, November 30th, 1847.

Counties where condemned	Date of admission	Expiration of sentence	Place of birth
Hinds	Oct. 31, '40	Oct. 27, '50	N. Carolina,
Yazoo	Nov. 18, '47	Nov. 16, '51	Ireland,
Itawamba	April 15, '40	April 15, '50	Georgia,
Adams	Nov. 19, '46	Nov. 15, '51	D. of Columbia,
Yazoo	Dec. 2, '45	Nov. 27, '55	S. Carolina,
Monroe	May 8, '46	May 1, '51	Tennessee,
"	May 7, '47	April 26, '49	Ireland,
Marion	April 20, '44	April 11, '50	Mississippi,
Copiah	Nov. 29, '46	Nov. 28, '56	Tennessee,
Holmes	Nov. 8, '44	Nov. 8, '54	Vermont,
Adams	June 2, '46	June 1, '51	Illinois,
De Soto	Nov. 26, '46	Nov. 13, '52	Tennessee,
Lafayette	April 8, '47	April 8, '49	Georgia,
Adams	June 17, '45	June 12, '51	Pennsylvania,
Warren	May 27, '45	May 7, '52	Alabama,
Clarke	Oct. 20, '47	Oct. 16, '62	Virginia,
Itawamba	Nov, 6, '44	Nov. 6, '51	N. Carolina,
Adams	June 2, '46	June 1, '51	Arkansas,
Monroe	Nov. 6, '43	Oct. 27, '53	New York,
Hinds	Oct. 10, '40	Oct. 9, '50	Ohio,
Lowndes	Oct. 23, '45	Oct. 23, '50	Virginia,
Clarke	Oct. 20, '47	Oct. 16, '57	S. Carolina,
Copiah	Nov. 29, '46	Nov. 28, '56	Alabama,
Chickasaw	Oct. 10, '47	Oct. 1, '57	Tennessee,
Adams	June 9, '43	June 7, '55	Massachusetts,
Monroe	May 15, '45	May 8, '52	S. Carolina,
Adams	June 2, '46	June 1, '54	Ireland,
Tippah	Oct. 14, '45	Oct. 2, '49	S. Carolina,
Noxubee	May 7, '45	April 25, '55	Louisiana,
Panola	Nov. 15, '46	Nov. 6, '56	N. Carolina,
Lafayette	Dec. 6, '43	Nov. 28, '58	Virginia,
Monroe	May 15, '45	May 6, '50	Georgia,
Tishemingo	Sept. 30, '46	Sept. 10, '61	S. Carolina,
Warren	July 8, '44	June 22, '49	Virginia,
Adams	June 2, '46	June 1, '61	Virginia,
Yallobusha	Sept. 13, '47	Sept. 3, '57	Pennsylvania,
Adams	June 30, '43	June 7, '51	Indiana,
Bolivar	March 20, '46	March 17, '56	New York,
Adams	Dec. 28, '41	Dec. 11, '47	Kentucky,

***STATEMENT** Showing the number of Convicts in*

No.	Names.	Age	Crimes
43	Jesse Ford	18	Negro Stealing
44	Mathias Elmore	30	Manslaughter
45	William Reese	31	Negro Stealing
46	Wiley Lyons	19	" "
47	Wm H Foster	22	Passing counterfeit money
48	Ebenezer Earl	50	Negro Stealing
49	Andrew Buill	62	Burglary
50	Thomas Percill	29	Larceny
51	John Harkley F M C	106	Assault to kill
52	John S Williams	19	Forgery
53	Marshal Chandler	20	Manslaughter
54	John A Dickey	35	Grand Larceny [pretences
55	Charles A Cozzens	23	Obtaining money by false
56	John W Grant	26	Larceny
57	Wm Blocker	19	"
58	Peter West	43	"
59	Jas J White	42	Grand Larcery
60	Wm Bastic	35	" "
61	Biram Jackson	23	Larceny
62	Moses Nunnelly	21	"
63	Joseph H Johnson	29	"
64	James Scott	42	"
65	Wm Boram	40	"
66	Pendleton H Wells	21	"
67	*John F Teague	17	"
68	Eber Rowe	24	"
69	William Huff	29	"
70	Wm McKnight	23	Forgery
71	Geo Crenshaw	24	Larceny
72	Benjamin Bridges	60	Attempt to steal slave
73	Wm W Gray	21	Forgery
74	*Chs Covy F M C	27	Larceny
75	James Cook	32	Manshaughter
76	Wm D Nixon	34	"
77	Robt F Dillingham	26	Larceny
79	John Holt	22	Manslaughter
80	Daniel W Daniels	42	Perjury
81	John Davis	45	Grand Larceny
82	Henry Warren	18	Larceny

Mississippi State Penitentiary, November 30th, 1847.

Counties where condemned.	Date of admission	Expiration of sentence	Place of birth
Madison	May 28, '42	May 22, '52	Mississippi,
Jasper	Jan. 9, '42	Jan. 2, '49	S. Carolina,
Lowndes	Oct. 25, '44	Oct. 25, '54	England,
Marshall	Sept. 23, '47	July 2, '57	Tennessee.
Tunica	Sept. 17, '47	Sept. 9, '54	New York,
Adams	Nov. 30, '47	Nov, 26, '57	New York,
"	June 11, '44	June 6, '56	New York,
Warren	June 13, '44	June 12, '49	Ireland,
Adams	June 10, '43	June 7, '49	St. Domingo,
Hinds	April 24, '46	April 22, '48	Virginia,
Claiborne	April 22, '47	April 17, '49	Georgia,
Tishemingo	March 23, '47	March 6, '51	S. Carolina,
Adams	Nov. 30, '47	Nov. 26, '49	Rhode Island,
"	Nov. 30, '47	Nov. 26, '49	Mississippi,
Amite	March 14, '47	March 6, '50	Mississippi,
Marion	April 25, '45	April 17, '48	New York,
Leake	March 27, '46	March 25, '50	S. Carolina,
Chickasaw	April 4, '47	April 4, '49	Georgia,
Marshall	Jan. 11, '47	Dec. 26, '48	Tennessee,
Lowndes	April 28, '47	April 17, '49	Alabama,
Adams	June 2, '46	June 1, '50	Georgia,
"	June 2, '46	June 1, '48	Pennsylvania,
Tippah	Oct. 12, '47	Sept. 30, '50	Virginia,
Adams	June 2, '46	June 1, '48	Mississippi.
Monroe	May 15, '45	May 1, '54	S. Carolina,
Adams	June 2, '46	June 1, '50	New York,
Claiborne	Oct. 22, '46	Oct. 17, '48	Pennsylvania,
"	Oct. 22, '46	Oct. 17, '48	Ohio,
Lowndes	Oct. 30, '46	Oct. 30, '48	Virginia,
Simpson	Nov. 14, '46	Nov. 13, '49	S. Carolina,
Tippah	April 21, '44	April 1, '49	Alabama,
Warren	Nov. 17, '46	Nov. 16, '48	Georgia,
Coahoma	April 25, '44	April 18, '49	Indiana,
Itawamba	April 27, '44	April 20, '54	S. Carolina,
Warren	Nov. 9, '46	Nov. 9, '48	Virginia,
"	Nov. 9, '46	Oct. 24, '48	Indian Nation,
Copiah	Nov. 29, '46	Nov. 28, '56	New York,
Carroll	Nov. 26, '46	Nov. 21, '48	Georgia,
Warren	May 12, '47	May 8, '49	Ohio,

STATEMENT Showing the number of Convicts in

No.	Names	Age	Crimes
83	Saml P Howell	22	Forgery
85	Hillery J Lanier	48	Larceny
86	John Smith	20	Horse Stealing
88	John Maloney	54	Larceny
89	*Jas H Aiken	28	"
90	James Eden	39	"
91	John Wilcox	21	"

Total 85. Those marked with a * were committed to

Attest: D. N. Barrows, Clerk.

Mississippi State Penitentiary, November 30th, 1847.

Counties where condemned	Date of admission	Expiration of sentence	Place of birth
Panola	Nov. 29, '46	Nov. 6, '51	Georgia,
Copiah	Nov. 29, '46	Nov. 28, '48	Louisiana,
Lowndes	Oct. 23, '45	Oct. 23, '48	Tennessee,
Adams	May 18, '47	May 15, '49	Ireland,
Hinds	Dec. 12, '46	Dec. 11, '49	Tennessee,
Marshall	Jan. 11, '47	Dec. 28, '48	Virginia,
Warren	May 12, '47	May 8, '49	England.

this prison a second time.

J. W. WADE, Superintendent.

General statement of the convicts in the Mississippi State Penitentiary, November 30, 1847.

Whole number received since the first admission, April 15, 1840, : : : :	220
Whole number in confinement December, 1, 1846,	89
" " received since, up to Nov., 30, 1847,	24
" " discharged by expiration of sentence,	8
" " " by pardon of the Governor,	14
" " sent back by writs of error from the High Court of Errors and Appeals. : :	3
Whole number of deaths : : : :	3
" " remaining in confinement November 30, 1847, : : : : :	85

FROM WHAT COUNTIES RECEIVED.

Hinds, : : :	4	Clarke, : : :	2
Itawamba, : :	3	Adams, : : :	19
Monroe, : : :	6	Noxubee, : :	1
Smith, : : :	1	Marion, : : :	2
Copiah, : : :	4	Holmes, : : :	1
Leake, : : :	1	Warren, : : :	8
Lowndes, : :	5	Tippah, : : :	3
Panola; : : :	2	Yallabusha, : :	1
Tunica, : : :	1	Chickasaw, : :	2
Yazoo, : : :	2	Claiborne, : :	3
Lafayette, : :	2	Tishemingo, : :	2
Bolivar : : :	1	Madison, : :	1
Jasper, : : :	1	Carroll, : : :	1
Simpson, : :	1	Coahoma, : :	1
De Soto, : :	1	Marshall, : :	3

TERMS OF SENTENCE.

For 15 years, : :	4	For 12 years, : :	2
" 10 " : :	20	" 8 " : :	2
" 7 " : :	4	" 6 " : :	5
" 5 " : :	12	" 4 " : :	6
" 3 " : :	6	" 2 " : :	23

One convicted for 4 years re-sentenced for 5 years

General statement of the convicts in the Mississippi State Penitentiary, November 30, 1847—Continued.

CRIMES.

Horse stealing,	2	Manslaughter,	13
Robbery	1	Grand larceny,	8
Negro stealing	13	Petit larceny,	27
Assault to kill,	4	Burglary,	2
Assault to commit rape,	1	Forgery,	5
Assault to kill his wife,	1	Having, counterf't money,	1
Having forged notes,	1	Attempt to steal a slave,	1
Perjury,	1	Larceny and forgery,	1
Altering marks,;	1	Passing counterf't money,	1

Obtaining money by false pretences, 1.

PLACE OF NATIVITY.

North Carolina,	3	Mississippi,	5
Georgia,	9	D. of Columbia,	1
South Carolina,	11	Tennessee,	8
Ireland,	5	Vermont,	1
Illinois,	1	Louisiana,	2
Pennsylvania	4	Alabama,	4
Arkansas,	1	Choctaw Indian nation,	1
New York,	8	Ohio,	3
Virginia,	10	Massachusetts,	1
Kentucky,	1	Indiana,	2
England,	2	St. Domingo,	1
Rhode-Island,	1		

OCCUPATIONS WHEN COMMITTED.

Book-binder,	1	Turner,	1
School-master,	1	House-carpenters,	1
Gin-wright,	1	Saddler,	1
Carriage-maker,	1	Blacksmiths,	4
Harness-maker,	1	Wheel-wright,	1
Physicians,	2	Tailor,	1
Shoemakers,	2	Cigar-maker,	1
Leather currier,	1	Ship-carpenter	1
Painters,	2	Stone-cutter,	1
Spinner,	1	Cabinet-makers,	2

Without trades or professions, 57.

General statement of the convicts in the Mississippi State Penitentiary, ending Novembee 30, 1847—Continued.

AGE, WHEN COMMITTED.

From	17	to	20	years,	10	From 50 to 60 years,	3
"	20	"	30	"	40	" 60 " 70 "	2
"	30	"	40	"	18	106 years of age,	1
"	40	"	50	"	11		

J. W. WADE, Superintendent.

Attest: D. N. BARROWS, Clerk,

STATEMENT A.

Showing the operations and condition of the Mississippi State Penitentiary, from the 1st day of December, 1846, to the 10th day of May, 1847, inclusive.

MANUFACTURED ARTICLES.

1846.		DR.
Dec. 1,	To stock on hand, - - -	$6163 00
	" am't charged to this ac't since,	2092 63
	" bal. gained by this act., - -	1103 95
		9359 58
		CR.
May10	By am't received and charged to date,	3919 37
	" " of stock on hand, - -	5440 21
		9359 58

BLACKSMITHS' SHOP.

1846.		DR.
Dec. 1.	To Stock on hand, - - -	$1775 37
	" " since purchased, - -	1047 88
		2823 25
		CR.
May10	By am't received and chared to date,	1049 13
	" stock and tools on hand, - -	1525 17
	" balance lost by this account, -	248 95
		2823 25

WHEELWRIGHTS' SHOP.

1846.		DR.
Dec. 1,	To stock and tools on hand, -	$3934 41
	" am't since purchased, - -	2193 79
	" balance gained by this account,	1859 41
		7987 61

STATEMENT A [Continued.]

WHEELWRIGHTS' SHOP.

		CR.
May10	By am't received and charged to date,	$4191 95
	" stock and tools on hand, - -	3795 66
		7987 61

SHOEMAKERS' SHOP.

1846.		DR.
Dec. 1,	To stock and tools on hand, - -	$142 00
	" am't since purchased, - -	506 17
	" balance gained by this account,	427 37
		1075 54

		CR.
May 10	By am't received and charged to date,	637 72
	" stock and tools on hand, - -	437 83
		1075 54

WEAVERS, TAILORS, & WOOL CARDERS SHOP.

1846.		DR.
Dec. 1.	To stock and tools on hand, -	$1515 95
	" balance gained by this account,	622 07
		2138 02

		CR.
May10	By am't received and charged to date,	775 73
	" stock and tools on hand, - -	1362 29
		2138 02

STATEMENT A [Continued.]

BRICKYARD ACCOUNT.

1846.		DR.
Dec. 1,	To stock and tools on hand, - -	$786 00
	" am't since purchased, - -	32 47
	" balance gained by this account,	1003 03
		1821 50
		CR.
May 10	By am't charged and received to date,	997 50
	" stock and tools on hand, - -	824 00
		1821 50

PROVISION ACCOUNT.

1846.		DR,
Dec. 1,	To stock on hand, - - -	$758 00
	" " since purchased, - -	1866 96
		2624 96
		CR.
May 10	By am't credited this account, -	39 80
	" " stock on haad, - -	510 26
	" " consumed, - - -	2074 90
		2624 96

STATE OF MISSISSIPPI ACCOUNT.

1846.		DR.
Dec. 1.	To stock on hand, - - -	$ 53 00
	" am't charged for new factory, &c.,	9207 56
		9260 56
		CR.
May 10	By am't drafts on auditor, - -	8311 23
	" " stock on hand, - - -	161 50
	" " balance due from state, -	787 83
		9260 56

STATEMENT A [Continued.]

HOSPITAL ACCOUNT.

1846.			DR.
Dec. 1.	To stock on hand, - - -		$ 87 00
	" " since purchased, - -		32 72
			119 72
			CR.
May 10	By stock on hand, - - -		68 45
	" amount consumed, - - -		51 27
			119 72

NEW ENGINE AND MACHINERY ACCOUNT.

1846.			DR.
Dec. 1.	To stock on hand, - - -		$2813 34
	" " since purchased, - -		1125 96
			3939 30
			CR.
May 10	By stock on hand, - - -		3939 30
			3939 30

STATEMENT, A [Continued.]

RECAPITULATION.

INCOME.

Am't gained on sales of manufactured articles,	$1103 85
" " by wheelwrights shop, -	1859 41
" " " shoemakers " - -	427 37
" " " weavers, &c., &c., - -	622 07
" " " brickyard, - - -	1003 03
" " " job and out door work, -	523 05
" due from state as per account, - -	787 83
" of stock and tools on hand May 10, '47,	19639 68
" " cash " " " " "	799 71
Bal. being loss from Dec. 1. '46, to May 10, '47,	3948 18
	30714 28

EXPENDITURES.

Am't lost by blacksmith shop, - - -	248 95
" " " forage and fuel account, -	272 37
" " " provision " - -	2074 90
" " " hospital " - -	51 27
" paid to discharged convicts, - -	135 00
" " for books and stationary, - -	10 00
" " " contingencies, - - -	758 48
" " inspectors per diem, - - -	86 00
" " freight and hauling, - - -	155 65
" " officers salaries, - - -	1718 88
" " guards " - - - -	1819 74
" " for oil and lights, - - -	181 68
" of stock and tools on hand, Dec. 1, '46,	19659 07
" " cash, - - - - - -	3542 29
	30714 28

STATEMENT B.

Showing the operations and condition of the Mississippi State Penitentiar from the 11th May, 1847, to 30th November, 1847, both days inclusive.

MANUFACTURED ARTICLES.

1847.		DR.
May 11	To stock on hand, - - -	$5440 21
	" since charged, this amount, -	2706 50
		8146 71

1847.		CR.
Nov 20	By amount sold for cash, - -	$2462 24
	" stock on hand, - - -	5538 04
	" balance lost by this amount, -	146 43
		8146 71

BLACKSMITH SHOP.

1847.		DR.
May 11	To stock and tools on hand, -	$1525 17
	" amount since purchased, -	709 89
	" balance gained by this amount	1121 04
		3356 10

1847.		CR.
Nov 30	By amount received to date, -	$1346 65
	Amount stock and tools on hand,	2009 45
		3356 10

WHEELWRIGHT SHOP.

1847.		DR.
May 11	To stock and tools on hand, -	$3795 66
	" amount since purchased, -	2106 62
	" balance gained by this amount.	1824 42
		7726 70

STATEMENT B [Continued.]

WHEELWRIGT SHOP.

1847.		CR.
Nov 30	By amount received to date, -	$4481 74
	" stock and tools on hand, -	3244 96
		7726 70

SHOEMAKER'S SHOP.

1847.		DR.
May 11	To stock and tools on hand, -	$437 82
	" amount since purchased, -	356 36
	" balance gained by this account,	1161 54
		1955 72

1847.		CR.
Nov 30	By amount received to date, -	$1578 17
	" " stock and tools on hand,	377 55
		1955 72

WEAVERS, TAILORS AND WOOLCARDERS, SHOP.

1847.		DR.
May 11	To stock and tools on hand, -	$1362 29
	" amount since purchased, -	56 44
	" balance gained by this account,	764 10
		2182 83

1847.		CR.
Nov 30	By amount rec'd. and charged to date,	$734 73
	" " stock and tools on hand,	1448 10
		2182 83

BRICK YARD ACCOUNT.

1847.		DR.
May 11	To stock and tools on hand, -	$824 00
	" amount since purchased, -	369 65
	" balance gained by this account,	3503 09
		4696 74

STATEMENT B [Continued.]

BRICK YARD ACCOUNT

1847.		CR.
Nov 30	By amount rec'd. and charged to date,	$1804 49
	" " stock and tools on hand,	2892 25
		4696 74

STATE OF MISSISSIPPI ACCOUNT.

1847.		DR.
May 11	To stock, convict clothing on hand,	$161 50
	" am't chg'd permanent improvement	3808 97
	" balance due from this account,	6389 48
		10359 95

1847,			CR.
Nov 30	By am't drafts on Auditor, - -		$6206 35
	" appro'n for machinery,	$4,000 00	
	" exch gained on same,	128 60	4128 60
	" convict clothing on hand,	--	25 00
			10359 95

FORAGE AND FUEL ACCOUNT.

1847.		DR.
May 11	To amount charged to date, -	$308 19
		308 19

1847.		CR.
Nov 30	By stock on hand, - - -	48 75
	" balance (being am't consumed,)	259 44
		308 19

HOSPITAL ACCOUNT.

1847.		DR.
May 11	To stock on hand, - - -	$68 45
	" amount since purchased -	72 18
		140 63

STATEMENT B [Continued.]

HOSPITAL ACCOUNT.

1847.		CR.
Nov 30	By stock on hand, - - -	$77 50
	" balance (being am't consumed)	63 13
		140 63

PROVISION ACCOUNT.

1847.		DR.
May 11	To stock on hand, - - -	$510 26
	" amount since purchased, -	1904 44
		2414 70

1847.		CR.
Nov 30	Am't credited for rec't & keeping negroes,	$54 40
	" stock now on hand, - -	208 30
	" balance (being amount consumed)	2152 00
		2414 70

FURNITURE ACCOUNT.

1847.		DR.
May 11	To stock on hand, - - -	$1448 50

1847.		CR.
Nov 30	By amount stock on hand, - -	$1448 50

NEW ENGINE AND MACHINERY ACCOUNT.

1847.		DR.
May 11	To stock on hand this day, -	$3939 30
	" machinery since received, -	5345 93
		9285 23

1847.		CR.
Nov 30	By stock on hand, - - -	$9285 23
		9285 23

STATEMENT B [Continued.]

CASH ACCOUNT.

1847.		DR.
May 11	To cash on hand this day, - -	$799 71
	" " since received, - -	6893 15
		7692 86

1847.		CR.
Nov 30	By cash expended to date, - -	$6025 61
	" " now on hand, - -	1667 25
		7692 86

RECAPITULATION.

INCOME.

To amount gained in blacksmith shop, : :	$1121 04
" " " wheelwrights shop, : :	1824 42
" " " shoemakers shop, : :	1161 54
" " " weavers, &c., : : :	764 10
" " " brick yard, : : :	3503 09
" " received from the State, : :	6389 48
" " gained by job-work,, : : :	646 20
" " stock and tools on hand, : :	26603 63
" " cash on hand, : : : :	1667 25
	43680 75

EXPENDITURES.

Amount purchased for blacksmith shop, : :	$ 709 89
" " " wheelwright " : :	2106 62
" " " shoemakers " : :	356 36
" " " weavers &c. " : :	56 44
" " " brick yard " : :	369 65
" " " forage and fuel, : :	308 19
" " " hospital stores, : :	72 18
" " " provisions, : :	1904 44
" " " new machinery, : :	5345 93
" " " books and stationery :	12 55
" " " contingencies, : :	266 39
" paid discharged convicts, : : :	180 00
" " to inspectors, : : : :	76 00
" " for freight and hauling, : :	125 97

STATEMENT B [Continued.]

Amount paid officers salaries, : : : :	$2161	12
" " guards salaries, : : :	2280	83
" " for oil and lights, : : :	254	52
" lost on sale of manufactured articles, :	146	43
" " " forage and fuel account, :	259	44
" " " provision account, : :	2152	00
" " " hospital account, : : :	63	13
" of stock and tools May 11, 1847, :	19639	68
" of cash on hand, May 11, 1847, : :	799	71
	39647	47
Balance, (being nett gain) : : : :	4033	28
	43680	75

NOTE.—The account made up to May 10, 1847, exhibits a loss of $3948 18. The account since that time up to Nov. 30, 1847, exhibits a gain of $4033 28. The transactions of the whole year give a nett profit of $85 10.

Respectfully submitted,

JAMES W. WADE, Superintendent.

Attest: D. N. BARROWS, Clerk.

PROCLAMATION By Albert G. Brown, Governor of the State of Mississippi.

By the mail from Washington City, I was put in possession of the subjoined letter and memorandum from the Secretary of War, at 8 o'clock last night. It will be seen that the President of the United States requests the speedy organization of one regiment of infantry or riflemen in this State. In obedience to this request, I have great pleasure in saying to the patriotic citizens of Mississippi, that I will accept for the present, ten companies of infantry or riflemen, organized in conformity with the memorandum hereto appended. Volunteers will observe that it requires eighty privates and thirteen commissioned and non-commissioned officers to constitute a company. In the election of officers, and in the enrolment of privates, a strict observance of the rules laid down by the Secretary of War is enjoined. No company can be accepted by me that is not organized in the manner there pointed out.

As soon as ten companies are organized they will be rendezvoused at Vicksburg or Jackson, and mustered into the service of the United States. There will doubtless be many, very many more, to tender their services than can be accepted. It is therefore proclaimed that those who organize according to law, and first tender their services, will be first accepted by me, and by me tendered to the President of the United States.

Infantry or rifle companies heretofore reported will be required to report again when they shall have recruited, and otherwise organized according to the subjoined regulations. In again reporting, companies are strictly enjoined to report their full quota of officers and privates. And to avoid the difficulty of recruiting after orders are given to rendezvous, it will be proper not to accept any man who does not enrol himself on a pledge of honor to march with the company when orders are given. I need scarcely say that I trust the ten companies will be ready in the shortest possible time.

N. B. In all that I have done heretofore, I was but anticipating as far as practicable, the wishes of the authorities at Washington, and when I ordered the organization of companies to consist of from 64 to 100 men, I was looking to the law as it then was. It will be observed that the ten companies now asked for are to be organized according to a construction given by the President to the late act of Congress. When I accepted conditionally

twenty-eight companies, who had organized under my order, I supposed there would be a requisition on this State for at least 2500 men. And in all that I have done within the last few days to promote the organization of a regiment of cavalry, I have acted under the advice of Major Gen. Games, who gave me positive assurance that such a regiment would be accepted. The letter and memorandum hereto appended, contains the first intelligence on the subject to which they relate, of an official character received by me, since the commencement of hostilities between the United States and Mexico. My conduct was based on the best information I could get, and was designed to promote the public service. These remarks are submitted for the satisfaction of those who have been misled by my letters and advice. All that I have said or written was based on the exceedingly meagre and unsatisfactory accounts derived from unofficial sources. I am now acting advisedly, and I express an earnest hope that within a very few days the ten companies called from this State, will be organized and ready to march in the service of the United States.

A. G. BROWN.

Jackson, Saturday 11 o'clock, May 30th, 1846.

WAR DEPARTMENT,
Washington, May 16th, 1846.

SIR:—I have the honor to enclose a copy of an act of Congress entitled "an act providing for the prosecution of the existing war between the United States and the Republic of Mexico," which authorizes the President to accept the services of volunteers.

It will be perceived that all the officers with the volunteers taken into the service of the United States under this act, are to be appointed and commissioned, or such as have been appointed and commissioned in accordance with the laws of the State from whence they are taken; and that the volunteers received into the service of the United States are to have the organization of the Army of the United States. For this exact organization so far as relates to companies and regiments, please see the memorandum appended to the law herewith, to both of which particular attention is requested; but under the discretion allowed him, the President has decided that the number of *privates* in all volunteer companies shall be limited to eighty.

On the part of the President, I have to request your excellency to cause to be organized at the earliest practicable period, the following corps of volunteers:

One regiment of infantry or riflemen. Your excellency is requested to designate and to communicate promptly to this department some convenient place of rendezvous (say Vicksburg,) for moving towards Mexico, for the several companies as fast as they shall be organized, where they will be further organized into a regiment. The several corps will be inspected and mustered into the service of the United States as far as practicable, by an officer or officers of the United States Army. Where this cannot be done, you are requested to designate the inspecting and mustering officers, who will, in every case be instructed to receive no man under the rank of commissioned officer, who is in years apparently over forty-five or under eighteen, or who is not in physical strength and vigor; nor the horse of any volunteer not apparently sound and effective, with the necessary horse equipments or furniture.

It is respectfully suggested that public notice of these requirements of law may prevent much disappointment to the zealous and patriotic citizens of your State. Multitudes of whom the President cannot doubt will be eager to volunteer.

Should there be any difficulty or considerable delay in obtaining the amount and description of the force proposed to be received from your State, you will give the earliest notice thereof to this department, that proper steps may be taken to receive them from other sections of the country.

Very respectfully, your ob't serv't,

W. L. MARCY, Secretary of War.

His Excellency the Governor of Mississippi, Jackson.

Memorandum of the organization of volunteer corps under the act of 13th May, 1846. A company of cavalry or mounted men will consist of—

One Captain,
One First Lieutenant,
One Second Lieutenant,
Four Sergeants,
Four Corporals,

Two Buglers,
One Farrier and Blacksmith,
Eighty Privates (as established by order of the President.)

A regiment of cavalry or mounted men will consist of

FIELD AND STAFF OFFICERS.

One Colonel,
On Lieutenant Colonel,
One Major,
One Adjutant (a Lieutenant in addition to the Lieutenant of Company.)

NON-COMMISSIONED STAFF.

One Sergeant Major,
One Quartermaster Sergeant,
One Principal Musician,
Two Chief Buglers, and
Ten Companies (for the organization of which see above.)

A company of Infantry or Riflemen will consist of—

One Captain,
One First Lieutenant,
One Second Lieutenant,
Four Sergeants,
Four Corporals,
Two Musicians,
Eighty Privates (as established by order of the President.)

A regiment of Infantry or Riflemen will consist of

FIELD AND STAFF OFFICERS.

One Colonel,
One Lieutenant Colonel,
One Major,
One Adjutant and a Lieutenant of one of the companies, but not in addition.

NON-COMMISSIONED STAFF.

One Sergeat Major,
One Quartermaster Sergeant.
Two Principal Musicians, and
Ten Companies, for the organization of which see above.

EXECUTIVE CHAMBER,
Jackson, Miss., 7th June, 1846.

Hon. W. L. Marcy, Sec. of War:

I have the honor to inform the President of the United States through you, that the regiment ordered from Mississippi, has been ordered to rendezvous at Vicksburg. Four of the ten companies are already on the ground, the other six are marching, and will be there in three to five days. The citizens, in the absence of any provision on the part of the government, have placed at my disposal upwards of thirty thousand dollars to subsist and transport the volunteers. To many of these generous individuals, it will be a serious deprivation to be kept long out of the use of their money.

I have the honor to inform you that in addition to the ten companies composing the regiment ordered from Mississippi, ten other companies have already tendered their services, and in less than a week I shall no doubt have the offer of ten more. I renew and press my application to be allowed to furnish at least one more regiment either infantry or cavalry, but we would prefer cavalry.

Very respectfully, your ob't serv't,

A. G. BROWN.

WAR WITH MEXICO.

PROCLAMATION by Albert G. Brown, Governor of the State of Mississippi.

The subjoined letter from the Secretary of War, communicating the President's requisition, on this State, for one regiment of infantry, to serve during the war with Mexico, unless sooner discharged, has just come to hand. It gives me pleasure to lay it before the country, assured that it makes the only appeal to the martial spirit of the freemen of Mississippi which is necessary.

The nation is unhapily involved in war—the constituted authorities call on the citizen soldiery to sustnin the banner which now waves in triumph over the fields of Palo Alto, Reseca de la Palma and Monterey—the call speaks in strains more eloquent to every patriot's heart than any language at my command. It is my earnest desire to avoid all semblance of confusion in collecting the troops at the place of rendezvous, to afford every part of the State, and indeed every individual as far as possible, equal and exact justice under this call; and above all is it desired that the gallant

spirits who respond to the call, may not be disappointed. It will be perceived that the President requests us to be as prompt as possible in our response. With a view to meet as near as possible this object, notice is given that all the reports to me, tendering companies, will be carefully filed until the 18th December proximo: on that day, if no more than ten companies have been reported, all will be accepted. If more than ten companies have been reported, the ten required will be selected, so as to give to each military division in the State, (reference being had to population,) an equal number of companies. Each company accepted, will be notified of such acceptance, as soon as possible after the 18th December, and it is earnestly hoped that none will march towards the place of rendezvous till so notified. Commanders are strictly enjoined not to report till their companies are full according to the requisition. Reports will be received as on the personal honor of the commander, and should any make a false answer (which is not anticipated) it must not be viewed a hardship if such are entirely excluded.

Deeply sympathising with the patriotic soldiers who were disappointed in getting into the first regiment from this State, it affords me the liveliest pleasure to congratulate them on the favorable opportunity of entering their country's service—an opportunity which I know they will eagerly embrace: for, if others have gained immortal honors, there are yet laurels to be won, bright as ever decked a warrior's brow.

Attention is called to the whole of the letter of Secretary Marcy, but special notice should be taken that companies are to consist of not less than sixty-four nor more than eighty privates, excluding of course non-commissioned as well as commissioned officers and musicians.

As the regiment will not be mustered into the service of the United States, until it shall have completed its organization by the election of its officers, a commissioned officer in the militia of this State, will be despatched to the place of rendezvous with orders to take the command until such organization is completed, or until he is relieved by an officer of the United States army.

It will be seen that officers of the quartermaster and subsistence departments of the regular army are to be stationed at Vicksburg with funds to pay the necessary expenses.

Executive Chamber, Nov. 27, 1846. A. G. BROWN.

WAR DEPARTMENT,
November 16, 1846.

SIR: I am instructed by the President to request that you will cause to be raised in the State of Mississippi, and organize at the earliest practicable period, for service during the *war with Mexico*, unless sooner discharged, one regiment of infantry, which, as soon as organized, will be mustered into the service of the United States.

The regiment will consist of

FIELD AND STAFF.

One Colonel,
One Lieut. Colonel,
One Major,
One Adjutant (a Lieutenant of one of the companies, but not in addition.)

NON-COMMISSIONED STAFF.

One Sergeant Major,
One Quarter Master Sergeat,
Two principal Musicians.

Ten companies, each of which to consist of

One Captain,
One First Lieutenant,
Two Second Lieutenants,
Four Sergeants,
Four Corporals,
Two Musicians, and
Eighty Privates.

Should the number of privates, on being mustered, not fall below sixty-four effective men in a company, it will be received,

Vicksburg is designated as the place of rendezvous for the several companies, as fast as they shall be organized, and where they may be further organized into a regiment. The regiment will be inspected and mustered into service by an officer or officers of the United States Army, who will, in every case, be instructed to receive no man who is in years apparently over forty-five, or under eighteen, or who is not of physical strength and vigor. To this end the inspector will be accompanied by a medical officer of the army, and the volunteer will be submitted to his examination.

It is respectfully suggested that public notice of these requirements will prevent much disappointment to the zealous and patriotic citizens of your State, who may be disposed to volunteer.

By the enclosed copy of an act authorising the President to call for volunteers, it will be perceived that all the field and company officers with volunteers taken into the service of the United States, are to be appointed and commissioned, or such as have been appointed and commissioned in accordance with the laws of the State whence they are taken; and I would suggest the extreme importance to the public service, that the officers for the above regiment be judiciously selected.

It may be proper to remark, that the law provides for the clothing (in money) and subsistence of the non-commissioned officers, musicians and privates of volunteers, who are received into the service of the United States.

In respect to clothing, the law requires that the volunteers shall furnish their own clothing, for which purpose it allows to each non-commissioned officer, musician and private, three dollars and fifty cents per month, during the time he shall be in the service of the United States. In order that the volunteers who shall be mustered into service under this requisition, may be enabled to provide themselves with good and sufficient clothing, the commutation allowed for six months (twenty-one dollars,) will be advanced to each non-commissioned officer, musician and private, after being mustered into service, but only with the express condition that the volunteer has already furnished himself with six months' clothing; this fact to be certified to the paymaster by the captain of the company, or that the amount thus advanced, shall be applied under the supervision of his captain, to the object contemplated by law.—In this latter case, the advanced commutation for clothing, will be paid on the captain's certificate that he is satisfied it will be so applied.

In respect to subsistence before arriving at the place of rendezvous, and for traveling home from the place of discharge, the allowance is fifty cents for every twenty miles distance.

The President requests that you will be as prompt as possible in the arrangement of this whole matter, in order that the volunteers may be ready for immediate service.

Officers of the quartermaster and subsistence department, will

be immediately ordered to the place of rendezvous, with funds to defray the necessary expenses which may be incurred.

Very respectfully, your ob't serv't,

W. L. MARCY,

Secretary of War.

His Excellency, A. G. Brown,
Governor of Mississippi,
Jackson, Mississippi.

Executive Chamber,
Jackson, 12th December, 1846.

Hon. Wm. L. Marcy, Secretary of War, Washington:

Sir: Your letter calling on Mississippi for one regiment of infantry, to serve during the war with Mexico, was received on the 27th ultimo; on the same day I issued a proclamation, a copy of which is inclosed. At first I supposed there would be no difficulty in getting the requisite number of companies, *notwithstanding the uncertain period at which they would be discharged.* The first appearance of disinclination to enter the service *during the war*, was supposed by me to be superficial, but I now apprehend it has sunk so deep into the public mind, that it will require some time to get up the regiment. There seems to be a general disposition to volunteer for one year, but our young men are slow to volunteer for a time which they say may be lengthened to one, two or even five years. It is this uncertainty attending the subject, which deters them from volunteering. Should the regiment not be full on the 18th inst.—of which I now have but little hopes—it is my intention to issue a second proclamation, fixing on the first of January, as a limit for receiving reports. In the meantime, allow me to suggest that you fix a limit, say 12 months, to the term of service, this would relieve all apprehension, and enable me to supply the regiment without difficulty or delay. Should the regiment be filled under your letter of the 16th inst., there will be no occasion to use the authority to receive twelve months volunteers, and if it should not, your answer may arrive in time for me to act promptly, when it is found impracticable to get up the regiment under the first order, or to serve during the war.

Very respectfully, your ob't servant,

A. G. BROWN.

PROCLAMATION By Albert G. Brown, Governor of the State of Mississippi.

EXECUTIVE CHAMBER,
Jackson, Miss., July 29, 1847.

The President of the United States has authorized the acceptance of a battalion of volunteer riflemen from Mississippi. The subjoined correspondence will show the circumstances under which the President granted the authority, and the service which the battalion is expected to perform. No appeal is made to the chivalry of the State. The patriotic fires which were kindled by the first blast of the war trumpet have not gone out. Authority has been asked and has been given for five companies of riflemen, organized in a separate battalion, to join their countrymen in arms under the command of the heroic General Scott, to aid in conquering a peace with the Mexican nation. Notice is therefore given, that the first five companies organized according to the terms stated by the Secretary of War, and reported to me after the 23d day of August next, will be accepted. A day will be appointed immediately after the fifth company is reported, for a general rendezvous at Vicksburg, of which timely notice will be given. Companies are cautioned against marching to the rendezvous until ordered to do so. Persons desirous of volunteering may be assured that they will be forwarded without delay to the seat of war, and that every possible means will be used to make them as comfortable as possible.

A. G. BROWN.

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WAR DEPARTMENT,
July 17, 1847.

SIR:—The President having authorized the acceptance of the battalion of volunteer riflemen from your State, referred to in the enclosed correspondence, your Excellency is requested to cause them to be organized with the least practicable delay, to serve during the war with Mexico, unless sooner discharged.

The battalion will consist of—

One Lieutenant Colonel,
One Adjutant, being one of the subalterns of companies,
One Sergeant Major,
One Quartermaster Sergeant,

One Principal Musician, and
Five Companies, each to consist of
One Captain,
One First Lieutenant,
Two Second Lieutenants,
Four Sergeants,
Four Corporals,
Two Musicians, and from
Eeighty to one hundred Privates.

The restrictions and requirements in other respects will be the same as those specified in the requisition of this department of the 10th November last. The companies will rendezvous at Vicksburg, where they will be organized into a battalion and be mustered into the service by an officer of the United States army.

I have the honor to be, very respectfully,
Your obedient servant,
W. L. MARCY, Secretary of War.

His Excellency Albert G. Brown,
Governor of Mississippi, Jackson, Miss.

WARRENTON, MISSISSIPPI,
June 29, 1847.

Honl. W. L. Marcy, Secretary of War:—

SIR:—Several companies have been raised in this State, composed partly of the men of the regiment I commanded in Mexico. Applications have been made to me for information as to the mode by which they can be received into General Taylor's army, and obtain transportation thither. The greater part of them prefer to serve as mounted men: they are willing to engage for the war, and if authority were given, I have no doubt would soon fill up the incomplete regiment called from Texas. I believe it would require but a short time to raise another rifle regiment to take the place of that lately disbanded, if this be desirable. Those who have spoken to me, attach great importance to the difference between volunteers as originally called out, and the organization provided for those who, after the expiration of their twelve months term should re-engage, because the first class have the right of electing their own officers whenever vacations occur.

Please inform me whether companies, or a battalion, or a regiment of riflemen will be received; if so, will they be allowed to go out as mounted men, or will they be received as first, under the act of May 13, 1846.

Very respectfully, your most ob't serv't,

(Signed,) JEFFERSON DAVIS.

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WAR DEPARTMENT,
July 16th, 1847.

SIR:—I am directed by the President to inform you, in reply to your letter of the 26th ultimo, that he will accept of such a battalion of riflemen as you suggest, to serve during the war, to be raised in the State of Mississippi. You indicate the employment of them under Major General Taylor, but it is probable that the more active operations will be with the column under the command of Maj. Gen. Scott, and their services may be required in connection with that column. Presuming that they will prefer the most active service, and that a different destination from that mentioned by you, will not impede the raising of it, I shall send forthwith a request to the Governor to aid in the organization thereof.

In regard to your suggestion that the battalion should be mounted, I would remark that the mounted force already called out, is deemed to be sufficient for the service which may be required of that description of force, and it is not now proper to add to the number.

Very respectfully, your obedient servant,

W. L. MARCY, Secretary of War.

Col. Jefferson Davis, Warrenton, Miss.

—

ALBERT G. BROWN, Governor of the State of Mississippi.

EXECUTIVE CHAMBER,
Jackson, Miss., 24th August, 1847.

The 23d day of this month was the time appointed by me in a proclamation bearing date 29th July, for completing the five companies of volunteer riflemen, to compose a battalion lately called for by the President from this State. The time is passed, and but one company has been reported (the Chickasaw Heroes, Capt. W.

M. Keyes) this company has been accepted under the authority contained in the subjoined letter from the Secretary of War, and ordered to rendezvous at Vicksburg, on Monday the 13th day of September. By that time, it is confidently anticipated, that the counties comprising the 1st and 2d military divisions, commanded by Major Generals Fox and Brandon, will furnish one company; those of the 3d division, commanded by Major General Duffield, one company; those of the 4th division, commanded by Major General Hemmingway, one company; those of the 5th division, commanded by Major General Bradford, one company; and it is expected that these officers will superintend the organization of the companies in their respective commands, and have them at Vicksburg by the 13th September, or as soon thereafter as possible, not delaying beyond the 25th. The reasons for assigning but one company to the 1st and 2d military divisions jointly, are first; that the population is sparse in most of the counties in that division; second, that Capt. Clark and Lieut. Govenreaux have lately been recruiting there for the 2d Mississippi regiment; third, that as but four companies are wanted and no time is to be lost in obtaining them, it is best to ask them from those counties where, on account of the density of population, they can be furnished with the least delay.

The idea went abroad that a requisition for a single battalion was so light a matter that no effort was necessary to fill it. Remote counties feared they could not get in, those near at hand had already furnished their quota of men, and did not wish to be in the way of more distant counties. The result has been as above stated. I cannot doubt but that the battalion will be speedily raised; and since it is found necessary to make a little effort for that purpose, every patriot will feel called upon to do his duty.

A. G. BROWN.

WAR DEPARTMENT,
August 10, 1847.

SIR:—In answer to your letter of the 30th ultimo, I have the honor to inform you that the companies referred to in the requisition of this department of the 17th of July, may be received and mustered separately as each is raised and organised. They will afterwards be further organised into a battalion, should the number

of companies raised be sufficient to justify such a formation, otherwise it will be necessary to consolidate the companies with some other battalion already organised. I hope, however, there will be no occasion for this, and that the requisition for the five companies will be fully responded to.

I have the honor to be, very respectfully, your ob't serv't.

W. L. MARCY, Sec'y of War.

His Excellency, A. G. BROWN,
Governor of Mississippi, Jackson, Miss.

PROCLAMATION to the people of Mississippi.

Again, and for the last time, I invoke the brave men of Mississippi to respond to the recent call of the Executive of the United States, for a battalion of riflemen. It is known to us all that only one company has yet been mustered into service, but any number of companies less than five will be sent on.

I am well aware of the combined causes which have defeated the organization of the battalion. Shortly after the call reached me, the news of a negociation for peace arrived, and it was supposed that even Mexican fatuity could not but see that longer resistance would avail that nation nothing. All prospects of peace vanished, and enough is now known of the councils of our government to authorise the statement, that the war will be vigorously prosecuted, until those who so often have refused the profered olive branch, shall themselves ask for peace.

The fevers at Vicksburg, New Orleans and Vera Cruz, excited just apprehensions in the minds of many. Before the time that the battalion will be ready to leave the rendezvous near Vicksburg, health will have been restored to those cities. The disappointment felt by numbers that riflemen were called for rather than mounted men, is another cause for delay in filling up the battalion. The deeds of the first regiment had so electrified the whole country, as to make it scarcely wonderful that the officers of the general government adopting the universal belief in the invincibility of the Mississippi riflemen, desired Gen. Scott to have with him a band of these gallant men, with that weapon in their hands, which we may now call the peculiar arms of our state. The patriotism of the people will cause them to overlook this disappointment.

The battalion now to be raised will join Gen. Scott's conquering column, and, from its character as a battalion of rifles or light troops, must have glorious opportunities of winning imperishable renown.

I, now in capacity of Executive of the State, implore her to save herself from the pain of failing to meet this call. Let every man who wishes to join the American army, in the old city of the Montezumas, answer to this summons. Go by twos, by fives, by tens, by twenties, to the rendezvous, near Vicksburg, a safe and healthy rendezvous where there is no danger of disease, six miles from the town. If one single man, fired with a noble ardor to fight under his country's flag, can find no comrade, let him go alone. The government pays an allowance of fifty cents for every twenty miles of travel, to every soldier who joins. This alone will carry the soldier who bears a cheerful heart to his destination, and he will there be well provided, and our patriotic citizens whose family obligations detain them at home, will always aid the way-faring, well disposed volunteer.

I enjoin upon every officer commissioned in the militia of this State, and especially the Colonels, to be active in finding out and forwarding all who wish to volunteer. If they love the flag they have sworn to love and cherish, let them be diligent in this service.

Parties of men, no matter how small, need not wait for companies to be formed in their counties. Let them proceed to Vicksburg, in small or large parties, and there they can be formed into companies, every man voting in the election of officers. One man will be received if he come.

I shall despatch gentlemen who will have the proper credentials, to various parts of the State to aid in raising and forwarding men.

And now to every citizen of the State, let me say you have an interest in the success of this effort; let it not be said or written, that the chivalry of Mississippi was called to the field at a time of imminent peril to our arms and did not obey the call. Never were men so much needed, never did more animating scenes of battle and triumph invite the soldier's sword. Our sister states have responded with promptness and with enthusiastic fervor to the calls made upon them. Mississippi, not less patriotic than they, and with as much at stake of honor, must not, will not be the

first to refuse. To the rescue, then of the fair fame of the State! March all who can to the glorious banner of your country, now proudly towering above all its dangers, and fight for the noble old standard. I invite the attention of all to the following extract of a letter just received from the gallant General Brooke, of the army, in regard to this battalion: "It is to be hoped that from the present situation of the American army in Mexico, a patriotic impulse may be given to the volunteers in speedily advancing to the aid of their brethren in arms."

A. G. BROWN.

Executive Chamber, October 11, 1841.

GENERAL LAND OFFICE,
June 1st, 1847.

SIR: The three papers, or lists, which you left with the Secretary of the Treasury, and which were referred to me yesterday, by that officer, for examination, showing the number of acres selected by the State, under act of 4th September, 1841, and for schools, with the request to be informed,

1st what quantity of land in the whole, has been selected under said act of 4th September, 1841? 2d, how many acres are free from objection? and 3d, the quantity suspended and the cause of suspension, have been considered, and I find, on examination, that owing to the *numerous* interests found to conflict with the selections under said act, that it will require considerable time to make the examination, and prepare the statement. I have therefore the honor to inform you, that as soon as a report can be prepared, it will be transmitted to you at Jackson, Mississippi; that portion having reference to schools, will be responded to in another letter.

I have the honor to be, very respectfully,

Your obedient servant,

RICHARD M. YOUNG,

Commissioner.

His Excellency, A. G. BROWN,

Governor of Mississippi.

STATE SELECTIONS.

CIRCULAR TO THE UNITED STATES REGISTERS.

GENERAL LAND OFFICE,
August 6th, 1847.

SIR: Herewith you will receive a copy of the 8th section of the act of the 4th September, 1841, entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights."

In order to facilitate the business of State selections, under this act, I have to draw your attention to the following:

1st. The whole area to which the State of Mississippi is entitled under this law, is 500,000 acres.

2d. The act requires the selections to be "in parcels conformably to sectional divisions and subdivisions, of not less than three hundred and twenty acres in any one location," &c. Under this requirement, a selection may include a *whole* section, or a *fractional* section, or an island containing 320 acres, more or less; provided that the State, where the quantity is less than the prescribed number of acres, will agree to accept the same, for and in lieu of a tract containing the full quantity of 320 acres, but not otherwise; or it may embrace the *East, West, North, or South*, half of a section, or two *adjoining quarters* of different sections, or any number even of the smallest legal subdivisions of different sections; *Provided*, the tracts selected *adjoin* each other, and form *compact* parcels, containing *together* not *less* than 320 acres.

3d. The selections must be *based* upon the official township plats of the public surveys, which are *required* to be *approved* by the Surveyor General, and on file in the local land office *at the time of filing* the selection.

4th. The law allows selections to be made upon public lands whether *offered* or *unoffered*; but no State selection is admissible upon any land to which a *pre-emption* or *other valid* claim shall be legally established, nor on any land which "is or may be reserved from sale by any law of Congress, or proclamation of the President of the United States," nor upon any tract which is *reserved* or *withdrawn* from market for any purpose whatever.

5th. The Selecting Agent of the State, should file in your office an authenticated copy of his letter of appointment, or other satis-

factory evidence of his authority, and it is important and necessary that he should make such careful and thorough preliminary examinations as will enable him to select lands to which there may exist no valid claim by pre-emption or otherwise, and to avoid the embarrassments and delays consequent upon such conflicts, *you* will also examine the plats, records and papers in your office, *before* the lists of lands so selected are filed, and see that such selections are in all respects free from such objections.

6th. If, notwithstanding such precaution, the State shall hereafter select lands which shall be found to be interfered with by any *prior* and better claim or claims, the selection to the *whole* extent of such (claim or claims) will of course be null and void; and if such valid claim or claims shall *only* extend to a part of the selection, by the rejection of which, the *remaining* portion or portions shall be reduced to *one* or *more detached* bodies, below the quantity of 320 acres, the part or parts *not* interfered with may nevertheless be confirmed; provided that the State will accept *each detached parcel*, which may thus be rendered to *less* than 320, as equivalent to, and in lieu of the full quantity of 320 acres; otherwise, such parts or parcels will be rejected, on the ground of the land not forming the *compact* parcel required by law.

7th. That the action of this office may be uniform, it is hereby determined, from the date of this circular, that when selections are reported to this office, which are found to conflict with declaratory statements of pre-emptors, the approval of that part of the selection *thus covered* by such statement, *together* with such portion as may not be interfered with, but which would be less than 320 acres, if the *part covered* by the declaration should be *confirmed* to the claimant, will be suspended to await the *final* result of the pre-emption claims, which if not established at the expiration of the period allowed by law, the selection of the State will then be approved.

8th. Should a tract of land be selected by the State, and rejected on the ground of *not* forming the complete parcel required by law, it is *no bar* to its being *re-selected*, provided other land, *not* interfered with, is selected in connection with it, so as to form the *compact* parcel of 320 acres, or more, as the case may be. Should such re-selections be made, they are required to be embraced in an *entire* new list, bearing the number of the series *at the time* of such re-selection.

Herewith you will receive the form of a list, to be used for selections. This form requires the *date* to be given *when* the *list is filed* in your office; such date being regarded as the date of selection, so that in the event of a pre emption or other conflict, the question as to priority of right may be properly settled. The lists should bear a regular series of numbers, from No. 1, and should be signed by the agent. If the list is regular and complete, you will enter up the selections on your books, and mark them on the plats, sign the official certificate as to the correctness of the list of selections, and transmit the same to this office, in order that it may be submitted to the Secretary of the Treasury, for his approval.

The law of Congress allows no commission on this business.

You are requested to acknowledge the receipt of this circular, which is designed to embrace all the material principles in previous circulars in reference to this subject, and to be your rule of action in relation to this business in future.

Very respectfully, your ob't serv't,

RICHARD M. YOUNG,

Commissioner.

NOTE.—The States designated in the 1st section of the act of Congress, approved September 4th, 1841, entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emption rights," are *Ohio, Indiana, Illinois, Alabama, Missouri, Mississippi, Louisiana, Arkansas and Michigan.*

Act 4th September, 1841, Section 8. *And be it further enacted*, That there shall be granted to such States specified in the first section of this act, five hundred thousand acres of land, for purposes of internal improvement; *Provided*, that to each of the said States which has already received grants for said purposes, there is hereby granted no more than a quantity of land which shall, together with the amount such State has already received as aforesaid, make five hundred thousand acres; the selections in all of the said States to be made within their limits, respectively, in such manner as the Legislature thereof shall direct, and located in parcels, conformably to sectional divisions and subdivisions, of not less than three hundred and twenty acres in any one location, on any public land, except such as is or may be reserved from sale by any law of Congress, or proclamation of the President of the United States, which

said locations may be made at any time after the lands of the United States in said States, respectively, shall have (been) surveyed according to existing laws; and there shall be, and hereby is gaanted to each new State that shall hereafter be admitted into the Union, upon such admission, so much land as, including such quantity as may have been granted to such State before its admission, and while under a territorial government, for purposes of internal improvement, as aforesaid, as shall make five hundred thousand acres of land, to be selected and located as aforesaid.

—

An act to authorize the Governors of the States of Illinois, Arkansas and Missouri, to cause to be selected the lands therein mentioned.

Be it enacted by the Senate and House of Reprrsentatives of the United States of America in Congress assembled, That so much of the 8th section of the act entitled "An act to appropriate the proceeds of the sales of the public lands, and to grant pre-emptions, approved September [illegible]h, one thousand eight hundred and forty-one, as provides that the selections of the grants of land, made to the several States therein mentioned, for the purposes of internal improvement, shall be made, respectively, in such manner as the Legislatures thereof shall direct, is so far modified as to authorize Governors of the States of Illinois, Arkansas and Missouri, to cause the selections to be made for these States, without the necessity of convening the Legislature thereof for that purpose."

Approved, March 19, 1842.

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EXECUTIVE CHAMBER,
Jackson Mi., Feb'y. 8, 1847.

Sir:—I take the liberty of enclosing the opinion of the attorney general on a subject in which the State is deeply interested, and to which I wish respectfully to call your attention. These trespassers on the public lands, I am informed on good authority, are doing great damage to the State lands proper, and to the Chickasaw school lands, and as there is no other means of arresting them in their depredations than by an appeal to the law, you will, I trust, excuse me for calling you special attention to the subject, to the end that you may exercise your judicial authority in

the premises. I venture to suggest that you could aid the persons charged with the protection of the public timber by instructing grand juries in the counties where these lands lie, as to what the law is—and what it is their duty to do, where persons are charged on sufficient evidence with cutting down and carrying off the public timber.

You will not suppose that I intend, in addressing you this note, to do any thing more than call your attention to an evil, of which the State has just cause to complain, leaving you of course to deal with the subject as your sense of duty may dictate.

Very respectfully, your ob't. serv't.

A. G. BROWN.

Hon. GEO. COALTER, Judge 3d Judicial District.

A copy of the above letter has been addressed to Francis M. Rogers, Judge of the 6th judicial circuit, and Hugh R. Miller, Judge of the 7th judicial circuit.

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GENERAL LAND OFFICE,
Sept. 25, 1847.

SIR:—By reference to the enclosed copies of letters to the register at Grenada, from this office, under date 19th June last, and his reply 3d July, you will perceive, that several of the *Chickasaw school locations*, embraced in list No. 1, received from the Grenada office, in August, 1844, are reported as having been made in the month of May, 1842, which was prior to the passage of the act (13th June, 1842) under which the State of Mississippi was authorised to select

You will please cause the necessary examination to be made and inform me, whether the report of the agent of the State, (which is presumed to be in the office of the executive) corresponds with regard to the dates of these locations with the one on file in the register's office.

With much respect, your ob't. serv't.

RICHARD M. YOUNG, Com'r.

His Excellency A. G. BROWN,
Governor of Mississippi, Jackson.

EXECUTIVE CHAMBER,
Jackson, Mi., Oct. 13, 1847.

Hon. Richard M. Young,
Commissioner General Land Office, Washington city:

SIR—I have the honor to inform you, that the lands named in your favor of Sept. 25, are included in bill No. 1, Chickasaw school selections, and appear from the records in this office to have been located prior to June 13, 1842. They were registered for the State July 20, 1844. You do not mention the reason for making the enquiry contained in yours of the 25th ult., but I suppose it may be on account of some other claimant having set up a right to the land. If this be the case, I take this position in behalf of the State: It may be true, that the location was bad at the very time of making it, for want of authority; but if the State chose to adopt it afterwards, when, by the act 13th June, 1842, she had authority to make the location, the defect was cured, and the location from that moment became valid against all parties claiming under a subsequently acquired right. As, for instance, Sec. 3, T. 29, R. 2, W., appears to have been located May 20th, 1842. Admitting the State had no right to make such a location at that time, she acquired the right June 13, 1842. If after that, she chose to claim the land, she could do so, and her title become good without another actual location; at least against claimants acquiring title after June 13. She did so claim the land. She adopted, as it were, the location made May 20th; made formal application for the same, and it was registered in her name, and I claim for her a better title than any one acquired subsequently to June 13, 1842. On that day she had the right to acquire title, and she exercised it.

Yours respectfully,

A. G. BROWN.

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PANOLA, Dec. 22d, 1847.

Dear Sir:—I expected to make a report to you on the subject of the location of the State and School lands, but expected to do so at the office. I have spoken to Mr. Henly, to make out a list showing the rejected claims, with a list of the claimants, and also a list of the suspended, and the causes of suspension, but the office is closed,

and I fear will remain so for some time. I expect to be at Jackson by the 15th, and then make the report.

I have had laid down, 35,000 acres or thereabout, and would have had more down, but the Register said we certainly had plenty.

The 5,000 that were rejected of the school locations, have been reconsidered and now stand suspended. I would prefer their rejection, as it would hasten the decision of the school locations and have that matter settled, as the legislature will surely do something this session on the subject of the disposal of all the lands.

I hope the members of Congress will urge the settlement of the State and School locations, that all may be ready for sale by the time the legislature may appoint.

On the subject of the timber we shall make a report. We have done but little, and can do but little unless we had power from the government; then we could stop all, and by that means break up the rafting. There are three men that I shall sue for 260 logs; the men are free holders, and good, and the money can be made, they are swearing vengance against us. Mr. Bryan has been among them and has 5,000 tiers in *lock*. I should be glad to see you, but you will have left before I get down.

Very respectfully, your ob't serv't,

JOHN RAYBURN.

His Excellency, A. G. Brown, Jackson, Mississippi.

EXECUTIVE CHAMBER,
Jackson, Miss. Feb. 8, 1847.

Sir:—You are appointed by me an agent on the part of the State, to supervise the public lands and to prevent trespasses on the same. You will learn from the enclosed opinion of the Attorney General, what the law is in regard to the business of carrying off the public timber, and you will proceed as in any other case of larceny, to execute the law should you find timber cut down and lying on the lands belonging to the State. You will take possession of it as the property of the State, and on account of its perishable character, you will sell it and report to me the amount of the sale. If you ascertain who cut down the timber, you will prosecute him or them in a civil action for this trespass, or cause him to be bound

over to answer criminally as may seem best; but if the person who cut down the timber or any one else removes it from the land, you will furnish the District Attorney of your district with the names of such persons, together with the evidence of their guilt; or if such person be within the county where the timber was taken, you will take a warrant as in any other case of larceny, and have such persons committed or bound over to court. It will be your duty to pursue persons carrying off timber, and as the agent of the State have them arrested wherever they may be found in this or any other State, and in such cases to be provided with proof to identify the timber, and when it is delivered into your possession as the State's agent, you will sell it. You will act generally as in any other case when a larceny has been committed.

Very respectfully, your ob't serv't,

A. G. BROWN.

Gen. JOHN RAYBURN, Panola county, Miss.

A copy of the above letter has been sent to William Brian as an agent of the State, to supervise the public lands in conjunction with John Rayburn.

EXECUTIVE CHAMBER,
Jackson, Miss., 8th Feb, 1847.

Sir:—The enclosed opinion of the Attorney General is sent to you with a view to direct your attention to the subject embraced in it. The cutting down and carrying off the timber from the State lands may appear at first blush a small business to complain of, but conducted as it is at present in the counties bordering on the Mississippi river above Vicksburg, as well as in the counties of Sunflower, Tallahatchie, Panola, and several others, it is not only vastly profitable to those employed in it, but exceedingly injurious to the State at large, and to the Chickasaw school fund.

Much of the land is only valuable for the timber, and has been located with a view to secure it for the State. In several instances reported to me, these lands have been almost entirely denuded, and in one case it is reported that two thousand dollars worth of timber has been taken from a single section. My object has not been to prevent actual settlers from going on the lands with a *bona fide* intention of cultivating the soil, but to arrest the *lawless trespasser* who goes only for the timber.

The agents of the State are instructed to furnish you with the names of the trespassers, and the evidence of their guilt.

Very respectfully, your obedient servant,

A. G. BROWN.

FULTON ANDERSON,

District Attorney, 3rd Judicial District, Miss.

A copy of the above letter has been addressed to each Septimus Caldwell, District Attorney of the sixth Judicial District, and John W. Thompson, District Attorney for the seventh Judicial District of the State of Mississippi.

GENERAL LAND OFFICE,
June 3d, 1847.

Sir:—On the subject of Chickasaw school lands within the State of Mississippi, a memorandum in reference to which has been received at this office from you through the Hon. Secretary of the Treasury, I have to state, that as yet final action has not been had upon the selections for the purpose stated, heretofore reported from the Grenada and Columbus districts, in consequence of numerous conflicting interests—contingent locations under the 14th Art., Choctaw Treaty of 1830, and pre-empt. claims preferred under the different laws.

A digest however having been received from the Indian office, showing the valid locations under the treaty referred to, and the pre-empt. claims conflicting with the said school selections having been recently investigated—some of which have been approved; others rejected, and a portion suspended and further proof required. This office will without delay, proceed to examine the said school selections, and notify you of the result of such examination.

I would here remark that but *three* lists of selections have been received from the *Grenada* office, under the act of 13th June, 1842, and not *five* as would appear from your memorandum, the aggregate of the selections reported from *Grenada* being about 190,500 acres, (which is nearly 16,000 acres more than the State is entitled to, the amount being 174,555 44-100, and not 324,071 74-100 as would seem from the memorandum referred to.

With great respect, your ob't serv't,

RICHARD M. YOUNG, Commissioner.

His Excellency A. G. Brown, Jackson, Miss.

GENERAL LAND OFFICE,
August 12th, 1847.

Sir:—I have the honor to enclose herewith a copy of a circular of instructions to the United States Registers, dated 6th August, 1847, and a form of a list which has been addopted in relation to the selections under the 8th Sec. of the Act of the 4th Sept., 1841.

The selections under said act, which are now on file in this office, and which have been suspended for various causes, are in preparation (as far as it is practicable) for being submitted to the Secretary of the Treasury for approval, and as soon as his action shall have been had thereon, a report will be transmitted to you.

I have the honor to be very respectfully,

your obedient servant,

RICHARD M. YOUNG, Commissioner.

His Excellency, A. G. Brown,
Governor of Mississippi, Jackson, Mississippi.

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EXECUTIVE CHAMBER,
City of Jackson, Miss., February 21, 1846.

Hon. R. J. Walker, Sec. Treasury U. S.

SIR:—The legislature having passed an act to apply the two per cent fund to the construction of a Railroad from Brandon to the Alabama line, as contemplated by the act of Congress, relinquishing the fund, I address you on two points, relating to the payment of the money, 1st, you are aware that a large amount of U. S. Treasury warrants (some 96,000 dollars) received by the late defaulting State Treasurer of this State, (R. S. Graves,) from the United States are now in our State Treasury. These warrants are made payable to R. S. Graves, and on that account cannot be used. My object is to get an order from you to have these warrants cashed at New Orleans; 2d, you will please inform me whether the remaining portion of the fund can be paid at New Orleans; and 3rd, if it will be necessary for me to come in person or send an agent to Washington to receipt for and receive the money. For special reasons, I should prefer receiving the money in New Orleans.

Yours very truly,

A. G. BROWN.

TREASURY DEPARTMENT,
April 15th, 1946.

Sir:—In compliance with the request contained in your letter of the 30th ultimo, a warrant has this day issued in your favor for $146,823 75, being the balance due the State of Mississippi on account of the two per cent. fund, as far as the same has been adjusted by the accounting officers. A draft payable at New Orleans will be transmitted you by the Treasurer, as soon as the warrant shall pass the necessary official forms.

Very respectfully, your ob't serv't,

R. J. WALKER,
Secretary of the Treasury.

His Excellency A. G. BROWN,
Governor of Mississippi, Jackson Miss.

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TREASURY DEPARTMENT,
April 10, 1846.

SIR:—Besides the balance of the two per cent. fund, for which a warrant was issued in your favor, on the 15th instant, for $146,823 75, of which you was advised by my letter of that date, the accounting officers report that there is due the State of Mississippi on settlement of the three per cent. fund, the sum of $5,490 11. This amount will be paid to such officer or agent of the State as may be lawfully empowered to receive it, on transmitting hither an exemplification of the act containing the necessary authority.

Very respectfully your ob't serv't,

R. J. WALKRR,
Secretary of the Treasury.

His Excellency, A. G. BROWN,
Governor of Mississippi, Jackson.

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EXECUUIVE CHAMBER,
Jackson, Miss., 5th March, 1846.

HON. R. J. WALKER, Sec'y. Treasury, U. S.

SIR:—In conformity with the resolution hereto appended, I hereby apply to you, as Secretary of the Treasury of the United States, for the sum of six thousand one hundred and fifty eight dollars and twenty-two cents, paid out by the State of Mississippi on

account of troops called into service under the requisition of Major General Gaines, in the year 1836. The money was certainly paid by this State, and it is just as certain that no part of it has ever been returned by the United States Treasury. I ask you whether you have power to pay it, and if not, what course shall I adopt to get it.

Yours very truly,

A. G. BROWN.

A resolution in relation to the reception of money by the State of Mississippi from the United States:

Whereas, in 1836, Major General Gaines, of the United States army, made a requisition on the State of Mississippi for troops; and whereas troops were furnished under said requisition by the State; and whereas the sum of six thousand one hundred and fifty-eight dollars and twenty-two cents, remains unpaid by the United States, being expenses in part of said requisition; and whereas the State of Mississippi has paid said sum as far back as the year 1839, and has a right to be reimbursed said sum of money by the United States, therefore,

Be it resolved by the Legislature of the State of Mississippi, That the Governor of this State is hereby authorised to call upon the government of the United States for said sum of money, and to give acquittance therefor when paid, and to cause the sum to be placed in the treasury of the State of Mississippi.

Approved 5th March, 1846.

EXECUTIVE CHAMBER,
Jackson, Miss., 26th May, 1846.

HON. JACOB THOMPSON:

DEAR SIR:—Touching the matter of this State's claim on the federal government for advances made to the United States volunteers under Gen. Gains' requisition in 1836, I have to inform you that the facts seem to be these, as I gather them from my predecessor, Gov. Lynch. When the troops were called out, there was (as is usual in such cases) no money provided to pay the necessary expenses. Governor Lynch raised several thousand dollars on his own individual credit and used it in defraying these expenses. Some of the accounts were not technically correct. The quarter master general (Col. Talbert) not understanding the regu-

lations of the United States as perfectly perhaps as he should, a government agent (U. S. officer) was sent out after the *war* to settle the accounts. The officer, for various technical reasons, suspended $6,000 and upwards of these accounts. Governor Lynch's quarter master, Talbert, *now dead*, gave his papers to this government agent or officer, under a promise that they should be laid before the Secretary of War; and there the matter has rested ever since so far as the United States is concerned. When the legislature met, Gov. Lynch made his situation known, and an appropriation was made of six thousand one hundred dollars, to reimburse him. The governor drew the money from the treasury, and here the matter has lain for nearly ten years. The State now asks to have the money returned. These are all the facts within my knowledge.

Very respectfully,
A. G. BROWN.

EXECUTIVE CHAMBER,
Jackson, Miss., July 31, 1846.

HON. JACOB THOMPSON, M. C.

SIR:—The receipt of your letter dated 8th July, is acknowledged, though it did not reach me till the 28th instant. The paper inclosed by you from Mr. Hagner, informs me that the department has decided against the claims of the State for supplies furnished the volunteers from this State under Gen. Gaines' requisition in the year 1836. Unless further information is furnished, I can only say that I have forwarded all the information I can get. The name of the officer who came here in the year 1836 or 1837, to settle with the volunteers, I have not been able to learn. Gov. Lynch has forgotten it, and Col. Talbot, the State quarter master, who transacted the business with him, is long since dead. I suppose the books of the War Department, for the year 1836-7, will show who was the officer sent to Mississippi to pay off volunteers at the time referred to.

I know nothing of the transaction personally, and therefore only speak from information derived from others. There is not in the executive office a vestige of evidence on the subject. Should I find on enquiry any thing more on this subject, it will be communicated without delay.

Very respectfully your ob't serv't
A. G. BROWN.

EXECUTIVE CHAMBER,
Jackson, Miss., 4th Dec., 1847.

Messrs. J. W. Chalmers, Jesse Speight, J. Thompson, R. W. Roberts, and Stephen Adams—

Gentlemen: The State of Mississippi has a just claim against the United States for $6,158 22-100—money paid by her February 13, 1837, on account of volunteer troops called from this State into the service of the United States, by Maj. Genl. Gaines, in 1836. The legislature last winter directed me to take the necessary steps to have the demand settled. I accordingly had the account presented to the proper accounting officer, and he rejected it; an appeal was taken by my direction to the Secretary of the Treasury, who confirmed the opinion of the Auditor. These rejections were made on the ground of informality in the accounts. The facts being that the officer of the United States Army, Lieut. Cross, sent here in 1836 to adjust them, having been entrusted with the originals under a promise that he would in that year transmit them to the War Department for adjustment and final settlement, and that they have not since been found; and that the State advanced the money to relieve the Governor, who had advanced the amount out of his private funds, the papers on file at Washington show conclusively that the State paid the money, and there is no pretence that any part of it has ever been returned. In the absence of our delegation, the matter was entrusted by me to the superintendence of P. R. Fendall, Esq., with whom I hope you will find it convenient to consult, and who will place you in possession of all the papers. As the matter now stands, the State can only get justice from Congress, a denial of which, I take leave to say, will not be the most effectual way of encouraging the States to make similar advances in times of trouble.

Very respectfully,

A. G. BROWN.

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EXECUTIVE CHAMBER,
Jackson Miss., 4th Aug. 1846.

P. R. Fendall, Esq.,

DEAR SIR:—I have to-day sent to Peter Hagner, Esq., Third Auditor Treasury, certain documents exhibiting the grounds on

which Mississippi bases a claim against the United States for $6,128 22-100. The act of the Legislature authorizing me to settle the claim, has been previously forwarded; it passed in January or February of the present year, and will be found in the laws of Mississippi 1846, in State or Treasury Department, Congressional Library, or in the Patent office. If you will call on Auditor Hagner, examine the papers and procure his decision, you shall be compensated for your trouble. If the decision of Mr. Hagner is against the State, I should like to have it reviewed by the Secretary of the Treasury, provided you think it worth the trouble.—The papers sent by me to Mr. H. to-day, will at once put you in possession of all the facts so far as they are known to me.

Very respectfully, your obedient servant,

A. G. BROWN.

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EXECUTIVE CHAMBER,
Jackson Miss., 4th Aug. 1846.

Peter Hagner, Esq., Third Auditor Treasury Department, Washington City: —

SIR—The Hon. Jacob Thompson has inclosed me a letter of yours, addressed to him, under date July 3d, 1846, touching a matter of settlement in which this State is concerned, for expenses incurred in the year 1836, and paid in 1837, on account of volunteer troops called into the service of the United States, under the requisition of Maj. Genl. E. P. Gaines. That you may more perfectly understand the subject, I send you a copy of the House Journal Mississippi Legislature 1837. On page 48, you will find the subject brought to the attention of the Legislature by the Governor; and on the next page you will find that Lieut. Cross was the officer sent here by the War Department, to settle these accounts, and the reasons given why it was not done. On pages 130–31, you will find the report of the committee to whom the subject was referred by the House of Representatives Mississippi Legislature. I inclose you a certified copy of the law passed in pursuance of this report, and also a certified copy of the Governor's voucher filed in the Auditor's office, when he drew the warrant in pursuance of the law referred to. James Talbot, State Quartermaster, is long since dead. I learn from ex-Governor Charles Lynch that the separate

small vouchers which made up the aggregate sum of $6,158 22-100, were sent to Lieut. Cross, at New Orleans, in conformity with the request of that officer, and were never heard of afterwards. That the money was paid by the State is beyond controversy, and that no part of it has ever been returned, is alike incontrovertible. I shall be pleased to hear from you in reply.

Very respectfully, your obedient servant,

A. G. BROWN.

EXECUTIVE CHAMBER,
Jackson Miss., 4th Dec. 1846.

P. R. Fendall, Esq.,

SIR—Your letter of the 22d November, with its inclosures, has been received. It seems to me that you have exhausted every other remedy, and that you must now appeal to Congress for a settlement of the just demand of Mississippi against the Government. I have therefore written to our delegation in Congress, informing them that our State has a claim against the United States, for $6,158 22, with interest from February 13, 1837, and that you were furnished with the papers and authority from me to represent the claim. The nature of the indebtedness is fully explained, and a reference made to the papers on file for a more perfect understanding of it. I have also taken the liberty to say that you will give any legal question which it may involve, your attention, and have requested them to confer with you.

Should the Secretary of War decide in our favor, (which I do not anticipate,) this course will be unnecessary. The President will, I have no doubt, refuse to interfere, and therefore do not advise any appeal to him.

The State is clearly entitled to interest, but if we can get the principal, the State will not object to lose the interest.

Very respectfully, your obedient serv't,

A. G. BROWN.

STATE OF MAINE.

SECRETARY'S OFFICE,
Augusta, June 19, 1847.

SIR: In compliance with the direction contained in the fifth section of "Resolves relating to the construction of a rail road from Lake Michigan to the Pacific coast," passed by the Legislature of Maine on the 10th instant, the Governor through this department transmits to you a copy of said resolves, together with assurances of distinguished consideration.

I have the honor to be, very respectfully,
Your most obedient servant,
EZRA B. FRENCH,
Secretary of State.

STATE OF MAINE.

Resolves relating to the construction of a rail road from Lake Michigan to the Pacific coast.

Resolved, That a rail road from Lake Michigan to the Pacific coast is highly desirable, and if practicable, should be constructed. Such a work would open a vast and unbroken wilderness for improvement and cultivation—would unite and bind together the people of the Atlantic and Pacific slopes, by connecting their interests and associations—would extend our commerce, advance the welfare of our manufactnres, and elevate the dignity of man.

Resolved, That in our opinion the best, if not the only plan by which so stupendous a work can be accomplished, is to appropriate and set apart the public lands along the line of the same, and to pledge the proceeds of sale to that object, thus making the sale and settlement of these lands subservient to this great enterprise.

Resolved, That the plan of Asa Whitney, Esq., of New York, as explained by himself, meets our cordial approval, and we concur in recommending it.

Resolved, That our Senators and Representatives in Congress be requested, by their votes and acts to promote said object, by granting the right and power to Asa Whitney, Esq., to construct said road if practicable, and to pledge the public lands along the line of said work, to erect the same in such manner as will promote and secure the rights and interests of the whole Union, and best serve to accomplish the desired results.

Resolved, That the Governor cause copies of these resolutions

to be furnished to the Governors of each of the States respectively, and also to each of our Senators and Representatives in Congress.

In House of Representatives, June 8th, 1847; read and passed.

H. D. McLELLAN, Speaker.

In Senate June 10th, 1847; read and passed.

JOHN HODGDON, President.

June 14, 1847. Approved.

JOHN W DANA.

SECRETARY'S OFFICE, Augusta, June 15, 1847.

I hereby certify that the foregoing is a true copy of the original deposited in this office.

EZRA B. FRENCH,
Secretary of State.

STATE OF CONNECTICUT.

GENERAL ASSEMBLY,
May Session, 1847.

WHEREAS, The construction of a rail road across the continent of North America would make the United States the great thoroughfare between Europe and the populous and wealthy empires of Asia—would greatly facilitate our own intercourse with these regions—would tend to consolidate our Union, and to give a fresh impulse to our great agricultural, manufacturing and commercial interests; AND WHEREAS, so stupendous a work can only be accomplished under the patronage of the General Government, and the public lands are a fund peculiarly appropriate for defraying the expense of such an undertaking, as a small portion of them would furnish the necessary means, and the value of the remainder would be greatly enhanced thereby; AND WHEREAS, in our opinion, the plan of Mr. Asa Whitney of New York, in its great outlines, is the only practicable scheme for the accomplishment of this grand undertaking; therefore,

1. *Resolved by this Assembly*, That we cordially approve of the great features of the plan of Mr. Whitney, for the construction of a rail road from Lake Michigan to the Pacific Ocean, from the avails of a portion of the public lands, and we earnestly recommend the measure to the favorable consideration of the General Government.

2. *Resolved*, That the Senators and Representatives of this

State in Congress, be, and they are hereby requested to give this plan their prompt attention and support.

3. *Resolved*, That his Excellency the Governor, be, and he is hereby requested to transmit a copy of these resolutions to the Executive of each State in the Union, and a like copy to the Senators and members of the House of Representatives from this State in the Congress of the United States.

Senate, May 25th, 1847; passed.

J. H. HOLCOMB, Clerk.

House of Representatives, May 25th, 1847; passed.

J. BACON, Clerk.

Approved May 26th, 1847.

C. BISSELL

OFFICE SECRETARY OF STATE,
Hartford, July 30th, 1847.

I hereby certify that the above is a true copy of record in this office.

JOHN B. ROBERTSON,
Secretary of State.

STATE OF CONNECTICUT.

GENERAL ASSEMBLY,
May Session, 1847.

WHEREAS, In consequence of the admission of Texas into the Union, and of the order of the President, without the authority of the constitution or the law, directing troops to march into territory in the occupation of Mexico, a state of war exists between the United States and Mexico, conducted at a great expense of life and treasure, and which may result in the acquisition of a large portion of territory, hereafter to be made States of this Union, therefore,

Resolved, That if any territory shall hereafter be acquired by the United States or annexed thereto, the act by which such territory is acquired or annexed, whatever such act may be, should contain an unalterable fundamental article or provision whereby *slavery or involuntary servitude, except as a punishment for crime*, shall be forever excluded from the territory acquired or annexed.

Resolved, That the Senators and Representatives in Congress

from this State, be requested to use their best efforts to carry into effect the views expressed in the foregoing resolution.

Senate, June 16th, 1847; passed.

J. H. HOLCOMB, Clerk.

House of Representatives, June 24, 1847; passed.

F. BACON, Clerk.

Approved June 24, 1847. C. BISSELL.

Resolved, That his Excellency the Governor, be, and he is hereby requested to transmit to the executives of the several states of the Union, requesting that the same may be submitted to the Legislatures of the several states, copies of the preamble and resolutions on slavery passed by this assembly, and that he also be requested to transmit the same to the Senators and Representatives of this State in the Congress of the United States.

Senate, June 24, 1847; passed.

J. H. HOLCOMB, Clerk,

House of Representatives, June 24, 1847; passed.

F. BACON, Clerk.

OFFICE OF SECRETARY OF STATE,
Hartford, July 30, 1847.

I hereby certify that the above is a true copy of record in this office.

JOHN B. ROBERTSON,
Secretary of State.

EXECUTIVE CHAMBER,
Jackson, Miss., 15th April, 1847.

His Excellency, William Smith, Governor of Virginia:—

SIR—I have the honor to acknowledge the receipt of your letter covering the resolutions of the General Assembly of Virginia, on the subject of slavery, and requesting me to lay them before the Legislature of Mississippi—a request which I shall, with great cheerfulness, comply when the Legislature meets—this will not be till January, 1848. It affords me pleasure to say in advance that the resolutions will meet a hearty response from both political parties in this State. Firm in their tone—elevated in sentiment—dignified in their expression, and reflecting clearly and cogently the feelings of every southern man on the delicate and deeply interesting subject of which they treat, they will, I sincerely trust,

check our northern friends in their mad career, and cause them to reflect before they force the south to the last extremity. When abolition first disturbed the quiet of the south, our people gave way to passion, and in terms fierce and bitter dedounced the fanaticism which thus sought to disturb their domestic tranquility. No appeal was deemed necessary at that time—no argument was resorted to because in the first moment of indignant excitement the south felt that she could not discuss such a question without admitting the right of the north to call in question the propriety of her institutions, which she was indisposed to do. She made no appeal to what she deemed an *excess of fanaticism*. But things are changed; the movement in New York and Pennsylvania, in and out of Congress, the evident pandering of presidential aspirants to the favor of abolition, has dissipated the first feeling of confident expectation that this, like other *heresies*, would expire of its own excesses, and the feeling of irritation has subsided into one of calm and dispassionate determination, first, to exhaust all the resources of reason and argument in exhorting our northern brethren *to let us alone* on this subject; and if these fail—if the spirit of abolition invade the councils of the nation, prompting the strong party to wrest from the weak the fruits of its toil—its property—the peaceable possession of which was guaranteed by the constitution, then, deplorable as may be the consequences, we will feel prepared, having exhausted every fraternal remedy, to become *enemies*, and defend our rights with those means which God and nature has placed in our hands. If other men *will* force this sad catastrophe upon us, it is our duty to watch its approach and be prepared to meet it. The south must be united—the south will be united in the next presidential election, if this whole question is not unqualifiedly withdrawn from the contest by a pledge *categorically* made to abstain from all disturbance or interference on the question of slavery during the presidential term. *No man* who sympathises with the sentiments put forth in the "Wilmot Proviso" ought to have, or in my opinion, can get a single electoral vote from the southern States. *I know he cannot get a vote from Mississippi.* We may not be in favor of acquiring slave territory; we may be in favor of establishing the Rio Grande as the western boundary up to parallel 30° and thence to the Pacific; but we will not not submit to be told that slave territory is not to be acquired on this or on the other side

of that line. On this subject there is no division of sentiment in Mississippi; it is common ground on which whigs and democrats cordially unite. The period is approaching when we shall be called upon to make a selection of a presidential candidate. It is impossible to see what four years may bring forth. Mighty revolutions in England, France, and other countries, have taken place in much less time; and we are now at that point from which it may be disastrous, in the last degree, to make one step forward without first having prepared the ground. I am opposed therefore, and in this I think I but echo the common sentiment in Mississippi, to going into convention with our northern brethren without a prior distinct understanding that the candidate selected must not only be sound on this subject, but beyond the taint of suspicion. If an abolitionist, even in the modified form of a "Wilmot Proviso" man, is elevated to the Presidency, (which may God in his mercy prevent,) the south owes it to her domestic quiet, to the conduct which such an event may force her to adopt, to have no part or lot in the election of such a President. I am quite sure that our northern brethren will yet do us the justice to yield to our reasonable demands. We have not asked money nor patronage—we have not asked for partial legislation *to protect our labor*—we have only asked to *be let alone*—a request so reasonable in itself and so easily granted, will surely not be denied—if it is, we owe it to ourselves to take care that the denial shall not come through a President of our own choosing. Be future events what they may, Mississippi will stand by Virginia in maintaining her recently adopted resolutions, as she has always stood by her in support of her resolutions of '99.

Very respectfully, your obedient servant,

A. G. BROWN.

STATE OF RHODE ISLAND AND PROVIDENCE PLANTATIONS, IN GENERAL ASSEMBLY,

JANUARY SESSION, A. D. 1847.

Resolved by the General Assembly of the State of Rhode Island and Providence Plantations, That the policy of affording adequate protection to the capital and labor employed in the production of domestic manufactures, has at all times been assisted by the legisla-

tures of this State, and received the undivided and hearty concurrence of their constituents.

Resolved, That the tariff on imports, enacted by Congress, August 1842, was well conceived and adapted to afford such adequate protection, and at the same time to secure to the people of the United States, an ample revenue for all the legitimate purposes of government, without imposing any unequal burthen on any class, or interest in any portion of the community affected by its provisions.

Resolved, That the repeal of the said tariff at the late session of Congress, after the fullest experience of its beneficent operation, when the government had involved itself in an unnecessary and most expensive contest with Mexico, was highly inexpedient and unjust, and manifested a disregard for the pressing necessities of the government, and the credit of the country, no less criminal and unwise, than the blow intended to be inflicted by it on our most essential interests.

Resolved, That in the opinion of this Assembly, the exigencies of the government in the present unprecedented crisis, as well as the first principles of political economy, required that the tariff of 1842, which was adequately protective in its provisions, and yielded an annual income of twenty-seven millions of dollars to be re-enacted by Congress; the tariff of 1846, being even in the estimation of its friends, insufficient to meet the present and prospective demands on the National Treasury.

Resolved, That to revive the exploded system of collecting the United States revenue by means of a Sub-treasury, which exacts for all dues to the government, payment in specie at a time when the banking institutions of the States are, with scarcely an exception, in a sound condition, is absurd in theory, and oppressive in practice, and even if founded in correct principles, is, in the present state of things manifestly beyond the power of the government to enforce.

Resolved, That while we yield to no State in the Union, in our condemnation of the system of slavery, which the errors of past ages have transmitted to us, and will cheerfully co-operate in any just and constitutional measures to terminate it, we are not insensible to the difficulties of the position of our southern brethren, nor disinclined to fulfil in its true spirit every obligation and duty

imposed upon us by the terms of our compact, as embodied in the Constitution of the United States. But submitting ourselves implicitly to the requirements of that instrument, we insist upon a like compliance by other parties to said compact, with all its material stipulations expressed or implied. We protest therefore, against the acquisition of territory, by conquest or otherwise, beyond the present limits of the United States, for the purpose of establishing therein slaveholding States, as deranging the balance of political power once so happily established between our confederated communities, and as manifestly in violation of the spirit and intent of the Constitution. We protest against the introduction of slaves upon any terms, into any territory of the United States, whether of old or recent acquisition, where slavery does not exist, or has not immemorially existed. And we hold, that so far from aiming to extend an institution like slavery over a wider territory than is now pervaded by it, it is clearly the interest, no less than the duty of the slaveholding States to circumscribe its operation within their limits, and to provide, if possible, the means of its gradual extinguishment whenever public sentiment will permit it.

Resolved, That while we acknowledge with just pride, the gallant conduct of Generals Taylor and Worth, and the forces under their command, in storming the formidable redoubts and fortified streets of Monterey, and have in the operations of our Navy at Tobasco, the new glory which illustrates a cherished Rhode Island name, we cannot but lament the waste of treasure and life which has hitherto attended a contest waged to no valuable end, which, with ordinary discretion on the part of our Executive, might have been avoided with honor, and consistently with a firm determination to vindicate by all constitutional means our national claims and rights.

Resolved, That holding these opinions of the origin of our war with Mexico, and deeming a war of conquest inconsistent with the genius of our institutions, and destructive of their freedom and permanency, we instruct our Senators, and request our Representatives in Congress, to press upon the Executive Department on all proper occasions, the necessity of frank and equitable overtures to that Republic for the re-establishment of peace, and to favor in their own bodies, all acts and declarations which may promote that end, consistently with a due observance of the rights, claims and reputation of the United States.

Resolved, That his Excellency, the Governor be, and he is hereby requested to transmit a copy of these resolutions to each of our Senators and Representatives in Congress, to be laid before their respective houses; and also copies to the Executive departments of the several States.

(True copy.)

HENRY BOWEN, Sec. of State.

State of Rhode Island and Providence Plantations:

EXECUTIVE DEPARTMENT,
January, 1847.

Sir:—In compliance with a resolution of the General Assembly of this State, I have the honor to forward to you the accompanying documents.

With much respect, your ob't servant,

BYRON DIRNEW.

His Excellency, A. G. BROWN,
Governor of Mississippi, Jackson, Miss.

Resolutions relative to slavery and the Mexican war.

Whereas, in our judgment, the existing war with Mexico was not founded in any imperative necessity, such as may excuse or justify a christian nation for resorting to arms, and has now manifestly become an offensive war, against a neighboring republic; and whereas, we have just grounds for anticipating that the territory, which has been, or may be occupied or conquered, will become slave territory, and as such claim admission into the Union; and whereas, its admission as such, and with a mixed population, degraded by ignorance and superstition, and allied to us neither in interests, character, nor language, will endanger the harmony, welfare and perpetuity of the Union; therefore, be it

Resolved, by the Senate and House of Representatives, That the honor and best interests of the nation will be subserved by a speedy end of the war with Mexico, and a settlement of all matters in dispute by arbitration or negotiation.

Resolved, That Vermont will not give its countenance, aid or assent, to the admission into the Federal Union of any new state

whose constitution tolerates slavery, and does hereby appeal to each of her sister States to concur, in its own name, in this declaration.

Resolved, That the senators and representatives in congress from Vermont, will conform to the hearty wishes of their constituents, by earnestly supporting the principles set forth in the foregoing preamble and resolutions, and in using all other just, effectual, and constitutional means to avert the tremendous evils of slavery, and resist its encroachments upon the rights and interests of the non-slaveholding States.

Resolved, That his excellency the governor be requested to forward a copy of these resolutions to the governor of each State in the Union, and to our senators and representatives in congress, under the seal of the State, and his signature of approval.

Approved, November 3, 1846.

[L.S.] HORACE EATON.

Joint Resolutions, introduced by Gen. E. L. Edwards, of the House of Representatives, and adopted by the General Assembly of the State of Missouri.

Whereas, the policy of the government of the United States, is to rely mainly on the citizen soldier for protection of her national honor and national rights; and, whereas, the equality of man is a fundamental principle in our government, and it is against the spirit of our free institutions to build up a system of privileged aristocracy, by the fostering care of government, among any class of her citizens, and at the expense of the people thereof; and, whereas, by law, and the regulations of the army of the United States, an invidious distinction is made between the officers of the army and soldiers thereof, inconsistent with our republican form of government, Therefore,

Resolved, by the General Assembly of the State of Missouri, as follows:

1st. That our senators in congress be instructed, and our representatives requested, to use their best exertions to procure such alteration and modification in the laws and regulations of the army of the United States, as will abolish the great distinction now

existing between the officers and soldiers thereof, and place them on an equality consistent with our free institutions, as far as practicable.

2nd. That, as one means of producing such equality, they use their best exertions to procure the increase of the pay of the soldier to a fair and reasonable compensation for their services, and that the pay of the officers of the army be reduced to a fair and reasonable compensation for their services.

3d. That such other alterations and modifications be made as will place the officer and soldier as near upon an equality as is consistent with military duty in time of war.

4th. That permanent provision be made by law, for the widow and children of such officers and soldiers as die or are killed while in service in the army of the United States, during the war; *Provided*, that no preference shall be given or distinction made, between the widow and orphan of the officer and those of the common soldier.

5th. That the Secretary of State be requested to forward a copy of these resolutions to each of our senators and representatives in congress, and to the executive of each State, with the request that the same be laid before their respective legislatures.

Approved, February 2, 1847.

EXECUTIVE CHAMBER,
Jackson, Mi., Sept. 17, 1846.

Hon. Isham Moody:

SIR—Your letter of the 3d inst. has been received. The special act directing the suit against the Newton and Lauderdale turnpike company to be brought, designates the district attorney as the proper person to bring it. If the legislature had contemplated the necessity for any additional counsel, it would doubtless, when specially legislating on this subject, have provided for the employment of such counsel. The people of the eastern circuit have selected Mr. Wood as a gentleman competent to discharge the duties of district attorney, and I do not doubt that he is. If he desires assistance in the case against the "Company," and will so intimate,

it shall be furnished him. But the people and the legislature have both thought he could get along by himself.

Very respectfully, your obedient servant,

A. G. BROWN.

N. B. I have written to Mr. Wood, submitting the matter of employing additional counsel to his discretion, and leaving it with him to employ any one he pleases.

EXECUTIVE CHAMBER,
Jackson, 17th September, 1846.

Geo. Wood, Esq., District Attorney:

SIR:—Judge Moody, the representative from Clark, wrote to me under date the 3d inst., suggesting that you would need assistance in the case of the State *vs.* Newton and Lauderdale Turnpike company. The special act directing the suit to be brought, seems not to have contemplated the employment of additional counsel; but if you need assistance, you must have it.

Mr. Graybill was suggested by Judge Moody, but it is left to your discretion to associate with you, Mr. Graybill or any other lawyer you may select. I am not empowered to employ counsel in this case, and must, therefore, say frankly to the attorney selected by you, that he must look to the legislature for his fee, which will be paid out of the money recovered, I have no doubt.

Very respectfully, your ob't servant,

A. G. BROWN.

EXECTUIVE CHAMBER,
Jackson, Miss., 10th August, 1847.

Col. JEFF'N DAVIS, Warrenton, Miss.:

SIR: I have the honor to enclose you a commission as United States Senator, to fill a vacancy occasioned by the death of the late Gen. Speight. The people have experienced deep and sincere regret in the mournful event which deprived them of a faithful friend and long tried public servant. In this feeling I have participated to the fullest extent. The event has given us all an opportunity, which we embrace with melancholy pleasure, of testifying our high appreciation of your valuable services as a member

of the twenty-ninth Congress, and your more valuable and distinguished services at the head of the 1st Mississippi Regiment in Mexico. The people will never cease to remember with pride and gratitude, that to you, sir, and the brave Mississippians under your command, is our State indebted for honors as imperishable as the soil on which you won them; honor, which shall last as long as chivalry is respected, or valor has a place in the hearts of men.—They expect me to offer you this commission, and it gives me sincere pleasure to gratify that expectation. It is the tribute which a grateful people, speaking through their representative, pays to noble deeds and distinguished patriotism. In returning to the arena of politics, you may have it in your power to counsel your government in regard to a people you have aided in conquering, whose weakness and follies you have learned to appreciate from personal observation, and to whom I am sure you are willing to give an honorable peace, whenever they and their rulers shall have the good sense to accept it.

Very respectfully, your ob't serv't,

A. G. BROWN.

His Excellency, A. Brown, Governor &c.:

Dear Sir: We have examined the digest of the Mississippi Reports compiled by W. C. Smedes, Esq., one of the State Reporters, and which includes Walker's, Freeman's, Howard's, Smedes & Marshall's Chancery and Law volumes of Smedes & Marshall's Reports, and it affords us pleasure to express our opinion of the accuracy and faithfulness of the work.

It is not merely a compilation of the indexes of the different volumes, but is a complete digest of the opinions of the court, made by the author, expressed in his own language, in which full justice is done to the court, and the substance of their decisions clearly and fully stated. We give the work our decided commendation.

W. L. SHARKEY,
ALEX. M. CLAYTON,
J. S. B. THACHER.

Jackson, November 14th, 1847.

COLLECTOR'S OFFCE,
Mobile, 2d December, 1847.

SIR: At the last session of Cangress, an appropriation was made of $12,000, for building a light house at Biloxi, in your State.—The United States government has purchased in this village, one acre of land for the purpose, from John Fayard (now in possession,) immediately on the shore of the Gulf of Mexico, and due north of the centre of the pass running up to the village, on the western side of Deer Island. I have been charged with the duty of procuring from the State of Mississippi, the passage of an act ceding jurisdiction of the site selected, to the United States, and must request of you to recommend the immediate pasrage of such an act in your annual, or in a special message to the Legislature.

The importance of prompt action on the subject, atises from the fact, that by law the department is inhibited from erecting the necessary building, previous to the cession.

The Secretary has it in contemplation to erect a cast iron light house of a very lofty and beautiful form, at this place. Be so good as to instruct your Secretary of State to send me a certified copy of the bill as soon as passed.

I am, with high consideration,

Your obedient servant,

JAMES E. SAUNDERS,
Collector at Mobile.

His Excellency, A. G. BROWN,
Governor of Mississippi.

The following message was received from the House of Representatives, through their clerk, to-wit:

Mr. President—I am instructed by the House of Representatives, to inform the Senate that they have concurred in their resolution adopting the joint rules of the two Houses of the last session to govern the two Houses at its present session.

On motion of Mr. Kennedy,

Ordered, that two thousand copies of his Excelleney, the Governor, together with the accompanying documents, be printed.

Mr. Guion offered the following resolution, to-wit:

Resolved, (until further ordered) That the Senate, when it adjourns, will adjourn to meet at 10 o'clock, A. M., of each day;

Which was read and adopted.

On motion of Mr. Labauve,

The vote ordering two thousand copies of the message of his Excellency, the Governor, together with the accompanying documents, to be printed,

Was reconsidered.

On motion of Mr. Kennedy,

Two thousand copies of said message was ordered to be printed.

On motion of Mr. Cannon,

The documents accompanying said message, were referred to a select committee of three, to examine, and report at a speedy day, such documents as were necessary for publication.

On motion of Mr. Gray,

Ordered, that the documents accompanying said message, be read.

Mr. Stewart moved an adjournment,

Which was lost.

On motion of Mr. Dabney,

The vote ordering the reading of said documents,

Was reconsidered.

On motion of Mr. Catchings,

The vote ordering said documents to be referred to a select committee of three, with instructions to examine, and report such documents, as were necessary for publication,

Was reconsidered.

Mr. Lake moved to print two hundred and fifty copies of the documents accompanying the Governor's messag;

Which was lost.

Mr. Labauve called for the ayes and noes thereon,

Which are as follows, to-wit:

Ayes—Messrs. Alcorn, Catchings, Davis, Gray, Johnson, Lake, McDugald, McAfee, Price, Sharpe, Stuart, Wilborne—13 votes.

Noes—Mr. President, Messrs. Boone, Beene, Cannon, Carter, Dabney, Greer, Harrison, Hodges, Labauve, Pegues, Pettus, Ramsay, Singleton—14 votes.

On motion of Mr. Labauve,

Ordered, That said documents be referred to a select committee of three, with instructions to examine, and report such documents as were necessary for publication.

Messrs. Cannon, Lake and Gray, were appointed said committee.

On motion of Mr. Ramsay,

The Senate adjourned.

WEDNESDAY, January 5th, 1848.

The Senate met pursuant to adjournment,

The Journal of yesterday was read,

The President announced the appointment of the following standing committees:

On the Judiciary—John I. Guion, N. S. Price, A. W. Dabney, William A. Lake, and O. R. Singleton.

On Finance—Benj. Kennedy, Edward Johnson, J. J. B. White, Henry Gray, and J. McAffee.

On Claims—R. H. Boone, Henry Gray, Benj. Kennedy.

On Accounts—W. R. Cannon, T. J. Stewart, R. S. Greer, J. V. Hodges, and D. C. Sharp.

On Public Buildings—Edward Johnson, John I. Guion, and O. R. Singleton.

On Enrolled Bills—N. S. Price, A. W. Ramsey, and E. M. Davis.

On Elections—O. R. Singleton, Benj. Kennedy, and James McDougald.

On Education—T. J. Stewart, John J. Pettus, P. S. Catchings, R. O. Beene, and A. H. Pegues.

On Propositions and Grievances—F. Labauve, W. B. Wilbourne, and Wm. P. Carter.

On Internal Improvement—J. L. Alcorn, A. W. Dabney, J. E. Harrison, A. W. Ramsay, and Benj. Kennedy.

On Banks and Currency—Parmenas Briscoe, James E. Harrison, F. Labauve, P. S. Catchings, and W. B. Wilbourne.

On Seminary Fund—A. H. Pegues, James McDougald, J. McAffee, Wm. R. Cannon, and E. M. Davis.

On Engrossed Bills—R. O. Beene, D. C. Sharpe, and J. J. B. White.

On Joint Committee on Penitentiary—R. S. Greer, James E. Harrison, and Wm. A. Lake.

The following message was received from the House of Representatives through their clerk Mr. Russell, to-wit:

Mr President—I am instructed by the House of Representatives to inform the Senate that the Speaker has made the following announcement of Joint Standing Committees on the part of the House:

On Cliams—Messrs. J. T. Connell, W. M. Hall, J. J. Steger, Jesse Brumfield, and John T. Fortson.

On Accounts—Jas. Whitfield, A. M. West, Seth C. Cox, J. J. Williams, and Wm. Melton.

On Enrolled Bills—Jno. C. Alderson, J. G. Hamer, B. T. Cleaveland, Daniel B. Nailor, and Geo. H. Foote.

On the Penitentiary—Jas. Liddell, Richard Valentine, Henry Duke, John Holden, and John Toulme.

The House has also adopted the following resolution:

Resolved, the Senate concurring, that a joint select committee of three on the part of the House, and —— on the part of the Senate, be appointed to revise the joint rules governing the two houses.

The chair has appointed on said committee, on the part of the House, Messrs. Nash, Wooldridge, and Henry.

In which I am instructed to desire the concurrence of the Senate.

Mr. Dabney presented the petition of Robert E. Yates and others, citizens and heads of families of section sixteen, township fifteen, range eighteen east, in Noxubee county; which,

On his motion,

Was referred to a select committee of three:

Messrs. Dabney, Cannon, and Harrison, were appointed said committee.

Mr. Alcorn presented the petition of L. L. Bridgers.

Which was read; and,

On his motion,

Referred to a select committee of three:

Messrs. Alcorn, Kennedy, and Labauve, were appointed said committee.

Mr. Alcorn presented the petition of Jacob Magee;

Also the petition of J. S. Champion; which,

On his motion,

Was referred to a select committee of three:

Messrs. Alcorn, Kennedy, and Labauve, were appointed said committee.

Mr. Guion introduced to the Senate, the Hon. J. J. B. White, Senator elect from the senatorial district composed of the counties of Bolivar, Washington, Issaquena, and Yazoo:

The oath prescribed in the constitution was thereupon administered to him,

And he took his seat.

Mr. Cannon, from a select committee made the following report, to-wit:

Mr. President—The select committee to whom were referred the documents accompanying the Governor's Message, for the purpose of selecting such as shall be printed for the use of the Senate, have instructed me to report the following, to-wit:

A communication from the Hon. J. S. B. Thatcher, on the subject of Normal Schools;

A communication from James M. Howry, in relation to the Oxford University;

A communication from James Champlin, in relation to the establishment of a school for the blind;

And the resolutions from the State of Virginia;

All of which is respectfully submitted.

Mr. Cannon moved to receive and agree to said report:

Mr. Labauve called for a division of the question.

The question was first had upon the reception of said report,

Which was received;

The question was then had on the adoption of said report,

And decided in the affirmative.

Mr. Cannon offered the following resolution, to-wit:

Resolved, that one thousand copies of the Auditor's Report be printed for the use of the Senate.

Mr. Labauve offered the following amendment, to-wit:

Between the words "Auditor's" and "Report" insert Tresurer's;

The question was had on the amendment, and decided in the affirmative.

The question was then had on the resolution as amended,

And decided in the affirmative.

Mr. Guion, from the select committee reported a bill to be entitled,

An act for the relief of Mary Colbert;

On motion of Mr. Guion,

The report was received and agreed to;

Said bill was read the first time.

The Senate proceeded to the consideration of the resolution from the House of Representatives, fixing on Thursday the 6th inst., at 12 o'clock. M., for the purpose of opening and publishing the returns of election for Governor of the State, at the late November election.

Mr. Labauve offered the following amendment, to-wit:

Amend—And for the further purposes of electing a State Printer and keeper of the Capitol and Librarian.

The question was had on the adoption of said amendment, and agreed to,

The question was then had on the adoption of said resolution as amended, and agreed to.

Mr. Catchings offered the following resolution, to-wit:

Resolved, (with the concurrence of the House,) that the Senate and House of Representatives convened together in the Hall of Representatives at 11 o'clock, on Friday 7th inst., for the purpose of electing a Senator to the United States Congress, to fill the unexpired term of the Hon. Jesse Speight, dec'd.

Mr. Catchings moved to suspend the constitutional rule, and adopt said resolution forthwith,

Which was lost.

The Senate proceeded to the consideration of the orders of the day.

On motion of Mr. Labauve,

The resolution fixing on Thursday next to count the votes for Governor, &c.,

Was laid on the table.

A bill to be entitled,

An act to change the time of holding the Probate Court of Hinds county,

Was read the second time.

On motion of Mr. Guion,

Said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Boone offered the following resolution, to-wit:

Resolved, that the Governor's message be called from the table, and that it be committed to a committee of the whole house and made the special order of the day for to-morrow 12 o'clock, M;

Which was read and adopted.

Mr Cannon, from the select committee to whom had been referred the documents accompanying the Governor's message, returned the rejected documents to the Senate.

Mr. Catchings asked and obtained leave for the introduction of a bill to be entitled,

An act to extend the time of holding the probate court in the county of Copiah;

Which was read the first time.

On motion of Mr. Catchings,

The constitutional rule was suspended,

And said bill read the second time by title.

On the further motion of Mr. Catchings,

Said bill was considered as engrossed, the constitutional rule suspended, and read the third time forthwith, and passed.

Ordered, that the title thereof be as stated.

Mr. Pegues asked and obtained leave to the introduction of a bill to be entitled,

An act to incorporate Chickasaw Lodge No. 24, of the Independent Order of Odd Fellows;

Which was read the first time.

On motion of Mr. Pegues,

The constitutional rule was suspended,

And said bill read the second time.

On the further motion of Mr. Pegues,

Said bill was considered as engrossed, the constitutional rule further suspended, and read the third time forthwith, and passed.

Ordered, that the title thereof be as stated.

Mr. Dabney asked and obtained leave to the introduction of a bill to be entitled,

An act to incorporate Macon Royal Arch Chapter No. 11, of free and accepted Masons;

Which was read the first time.

On motion of Mr. Dabney,

The constitutional rule was suspended,

And said bill read the second time, and ordered to be engrossed for a third reading on to-morrow.

Mr. Davis asked and obtained leave to the introduction of a bill to be entitled,

An act to change the time of holding the probate court of Amite county;

Which was read the first time.

On motion of Mr. Davis,

The constitutional rule was suspended,

And said bill read the second time, and ordered to be engrossed for a third reading on to-morrow.

Mr. Boone called for the consideration of the resolution from the House of Representatives, appointing a joint select committee of three on the part of the House, and on the part of the Senate, to revise the joint rules governing the two houses;

Which was read; and

On motion,

Concurred in.

Messrs. Alcorn and Pettus were appointed a committee of two on said resolution.

The following message was received from his Excellency the Governor, by his private Secretary, to-wit:

To the Senate—

The petition of Thomas Williamson and others, securities for the appearance of E. P. Overby and Henry Moore, indicted before the circuit court of Smith county, is herewith transmitted. Overby and Moore, the parties indicted, joined the Mississippi battalion, were regularly mustered into the service of the United States during the war with Mexico, and are now on their way to join the army. They were mustered into the service in September last; since that time forfeitures have been taken against them for

their non-appearance at court; against this forfeiture Williams and the other securities seek relief, I ask the advice and consent of the Senate that it may be granted.

A. G. BROWN.

On motion of Mr. Kennedy,

Said message and the petition therein referred to, were laid on the table.

Mr. Singleton gave notice that he would, on Saturday next, introduce a bill to be entitled,

An act to amend the several laws of this State regulating the proceedings of probate courts, and for other purposes.

Mr. Dabney asked and obtained leave to the introduction of a bill to be entitled,

An act in relation to the probate of deeds;

Which was read the first time.

On motion of Mr. Dabney,

The constitutional rule was suspended,

And said bill was read the second time by title.

On the further motion of Mr. Dabney,

Said bill was referred to the judiciary committee.

Mr. Guion asked and obtained leave for the introduction of a bill to be entitled,

An act for the relief of Zebulon P. Wardell;

Which was read the first time.

On motion of Mr. Guion,

The constitutional rule was suspended,

And said bill read the second time by title.

Mr. Kennedy moved to refer said bill to the committee on claims;

Which was lost.

On motion of Mr. Guion,

Said bill was ordered to be engrossed for a third reading on to-morrow.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—I am instructed by the House of Representatives to inform the Senate that they have concurred in the amendment made by the Senate to the resolution of the House, appointing Thursday the 6th instant, for the assembling of the two houses in

the Representative Hall, for the purpose of publishing the vote for Governor.

Mr. Catchings asked and obtained leave to the introduction of a bill to be entitled,

An act concerning the pay of talis jurors;

Which was read the first time.

On motion of Mr. Guion,

The Senate adjourned.

THURSDAY, JANUARY 6th, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Carter asked and obtained leave of absence for Mr. McDugald, the Senator from the counties of Jasper and Clark, during his temporary illness.

Mr. McAffee presented the petition of Archibald Maloy, a citizen of Covington county, and accompanied said petition with

A bill to be entitled an act for the relief of Archibald Maloy of Covington county;

Which was read the first time.

On motion of Mr. McAffee,

The constitutional rule was suspended,

And said bill was read the second time by title.

On the further motion of Mr. McAffee,

Said bill with the petition, was referred to the committee on the Judiciary.

Mr. Briscoe presented the claim of George Torry; which,

On his motion,

Was referred to the committee on claims.

Mr. Lake presented the petition of George Hawkins; which,

On his motion,

Was referred to the committee on claims.

Mr. Price presented the claim of Samuel N. Pryor; which,

On his motion,

Was referred to the committee on claims.

Mr. Beene from a staading committee, made the following report, to-wit:

Mr. President—The committee on engrossed bills, have examined bills of the following titles, to-wit:

A bill to be entitled,

An act for the relief of Zebulon P. Wardell;

A bill to be entitled,

An act to change the time of holding the Probate court of Amite county;

A bill to be entitled,

An act to incorporate Macon Royal Arch Chapter No. 11, of Free and Accepted Masons;

A bill to be entitled,

An act to change the time of holding the Probate court of Hinds county;

Also a joint resolution for the election of United States Senator;

And have found the same correctly engrossed.

Mr. Carter presented sundry claims of William H. White; which,

On his motion,

Were referred to the committee on claims.

Mr. Boone offered the following joint resolution, to-wit:

Resolved, (the House concurring,) that a committee of members on the part of the Senate, and on the part of the House of Representatives, be appointed to invite Major Generals Zachary Taylor and John A. Quitman to visit the capital of Mississippi, during the present session of the Legislature; and that the joint committee so raised, shall be authorized to suggest the ceremonies which shall be observed in the reception of those distinguished patriots and soldiers;

Which was read.

On motion of Mr. Guion,

The committee in said resolution, on the part of the Senate, was filled with the number of three.

On the further motion of Mr. Boone,

The constitutional rule was suspended, and said resolution adopted forthwith.

Messrs. Boone, Guion and Stewart, were appointed said committee.

Mr. Briscoe, in accordance with previous notice, introduced a bill to be entitled,

An act to repeal an act, approved the 4th day of March, 1846, entitled an act to divide the State of Mississippi into four congressional districts;

Which was read the first time.

Mr. Lake asked and obtained leave to the introduction of a bill to be entitled,

An act to extend the time of holding the Probate court of Warren county;

Which was read the first time.

On motion of Mr. Lake,

The constitutional rule was suspended,

And said bill was read the second time by title,

And ordered to be engrossed for a third reading on to-morrow.

Mr. Singleton asked and obtained leave to present the petition of Thomas Mabry and others; which,

On his motion,

Was referred to the committee on propositions and grievances.

The Senate proceeded to the consideration of the orders of the day:

And took up a bill to be entitled,

An act for the relief of Mary Colbert;

Which was read the second time,

And ordered to be engrossed for a third reading on to-morrow.

Mr. Labauve moved to lay the resolution in relation to the election of a United States Senator, on the table;

Which was lost.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Beene, Dabney, Greer, Johnson, Kennedy, Labauve, Price, Pettus and Wilborne—11 votes.

NOES—Messrs. Alcorn, Briscoe, Cannon, Carter, Catchings, Davis, Guion, Gray, Harrison, Hodges, Lake, McAffee, Pegues, Ramsay, Singleton, Sharpe, Stewart and White—18 votes.

Mr. Labauve moved to strike out "Friday, 7th instant," in said resolution, and in lieu thereof, insert Wednesday, the 12th inst.

The question was first had on striking out, and decided in the affirmative.

Mr. Hodges called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Boone, Beene, Briscoe, Dabney, Greer, Harrison, Kennedy, Labauve, McAffee, Price, Pegues, Pettus, Ramsay, Singleton and Wilborne—15 votes.

NOES—Mr. President, Messrs. Alcorn, Cannon, Carter, Catchings, Davis, Gray, Guion, Hodges, Johnson, Lake, Sharpe, Stewart and White—14 votes.

Mr. Greer moved to fill the by the insertion of Thursday, the 13th inst.;

Which was lost.

Mr. Greer moved to fill the in said resolution, by the insertion of Wednesday, the 12th inst.;

Which was lost.

On motion of Mr. Kennedy,

Ordered, that said be filled by the insertion of Tuesday, the 11th inst.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Beene, Briscoe, Cannon, Carter, Catchings, Davis, Dabney, Gray, Greer, Harrison, Hodges, Johnson, Kennedy, McAffee, Price, Pegues, Pettus, Ramsay, Singleton, Sharpe, White and Wilborne—24 votes.

NOES—Messrs. Alcorn, Guion, Lake, Labauve and Stewart—5 votes.

And the question was thereupon had on the adoption of said resolution as amended, and decided in the affirmative.

Mr. Labauve called for the ayes and noes, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Boone Beene, Briscoe, Cannon, Carter, Catchings, Davis, Dabney, Gray, Greer, Guion, Harrison, Hodges, Johnson, Kennedy, Lake, McAffee, Price, Pegues, Pettus, Ramsay, Singleton, Sharpe, White and Wilborne—27 votes.

NOES—Messrs. Labauve and Stewart—2 votes.

The following message was received from the House of Representatives, through their clerk, to-wit:

MR. PRESIDENT—I am instructed by the House of Representatives to inform the Senate, that Messrs. Noble and Neill have been added to the joint standing committe on claims.

The House have also passed a bill from the Senate, entitled,

"An act to incorporate Chickasaw Lodge No. 24, of the Independent Order of Odd Fellows."

The House bave adopted the following resolutions:

Resolved, that so much of the Governor's message as relates to the five hundred thousand acres of land, be referred to a joint select committee of fifteen on the part of the House, and on the part of the Senate; and the Chair has appointed, as said committee, on the part of the House, Messrs. Brooke, Hamer, Nash, Hinds, Neill, Whitfield, Thomas of Marshall, Brown, Henry, Valentine, Weathersby, Simrall, Carroll, Noble and Foote of Noxubee.

Resolved, that so much of the Governor's message as relates to a Normal School, be referred to a joint select committee of five on the part of the House, and on the part of the Senate, and have appointed, as said committee, on the part of the House, Messrs. Stanton, Ford, Garrett, Stewart and Dilworth;

In which I am instructed to desire the concurrence of the Senate.

A bill to be entitled,

An act to change the time of holding the Probate court of Hinds county;

Was read the third time,

And passed.

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate Macon Royal Arch Chapter No. 11, of Free and Accepted Masons;

Was read the third time,

And passed.

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to change the time of holding the Probate court of Amite county;

Was read the third time,

And passed.

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of Zebulon P. Wardell;

Was read the third time,

And passed.

Ordered, that the title thereof be as stated.

The Senate resolved itself into committee of the whole, on the resolution calling the message of the Governor from the table;

And after some time spent therein,

The committee rose; and,

Mr. Cannon reported progress, and asked leave to sit again at three o'clock;

Which was granted.

The following message was received from the House of Representatives, through their clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed a bill of the following title, viz:

A bill to be entitled,

An act to incorporate Marshall Lodge No. 25, Independent Order of Odd Fellows, Lamar, Miss.;

A bill to be entitled,

An act to incorporate Lexington Royal Arch Chapter No. 9, in the town of Lexington;

In which I am instructed to desire the concurrence of the Senate.

On motion of Mr. Cannon,

The Senate took a recess for ten minutes.

The recess having expired,

The Senate met.

The following message was received from the House of Representatives, through their clerk, to-wit:

MR, PRESIDENT—I am requested by the House, to inform the Senate, that the Hall of the House is now in readiness for the reception of the Senate, to the end that the two Houses may, in conformity to a joint resolution, for the purpose of publishing the vote for Governor, and electing a keeper of the Capitol and librarian, and public printer.

And thereupon the Senate repaired to the Hall of the House of Representatives, and took the seats assigned them.

The Speaker of the House of Representatives announced to the joint meeting that he had received from the Secretary of State the following communication, to-wit:

OFFICE OF SECRETARY OF STATE,
Jackson, 3d January, 1848.

SIR: In obedience to a constitutioal requisition of the Secretary of State, I have the honor herewith to transmit to you the separate sealed returns of the election for Governor, received at the Secretary's office from the counties of Adams, Amite, Attala, Bolivar, Carroll, Chickasaw, Choctaw, Claiborne, Coahoma, Copiah, Covington, Clark, De Soto, Franklin, Green, Hancock, Hinds, Holmes, Harrison, Issaquena, Jackson, Jasper, Jefferson, Jones, Kemper, Lafayette, Lauderdale, Lawrence, Leake, Lowndes, Madison, Marion, Marshall, Monroe, Neshoba, Noxubee, Newton, Perry, Pike, Rankin, Scott, Simpson, Smith, Sunflower, Tallahatchie, Tippah, Tishemingo, Warren, Washington, Winston, Wayne and Yazoo.

From the counties of Itawamba, Octibbeha, Panola, Pontotoc, Tunica and Yalobusha, no separate sealed returns have been received.

The general returns from those counties, show, that in the county of Itawamba, Joseph W. Matthews received for Governor, 1152 votes, and A. B. Bradford, 140 votes. From the county of Octibbeha, Joseph W. Matthews received 390 votes, and A. B. Bradford received 318 votes. From the county of Panola, Joseph W. Matthews received 424 votes, and A. B. Bradford, 528 votes. From the county of Pontotoc, Joseph W. Matthews received 1056 votes, and A. B. Bradford received 429. From the county of Tunica, Joseph W. Matthews received 41 votes, and A. B. Bradford, 32 votes; and from the county of Yalobusha, Joseph W. Matthews received 919 votes, and A. B. Bradford, 484 votes.

There is, however, one return herewith sent, which may be from one of the counties last mentioned; but as there is no endorsement thereon, whereby the particular county can be designated, no specification of the county can be made.

Respectfully submitted, by

SAMUEL STAMPS,
Secretary of State.

On motion of Mr. Whitfield of the House,

Ordered, by the joint meeting, that all illegal votes be rejected.

Mr. Harrington of the House, offered the following resolution, to-wit:

Resolved, that the Secretary of State be required, forthwith to furnish the two Houses with the returns of elections for Governor, from the county of Oktibbeha, and all the returns reported by the Secretary of State to have been included in the general returns, and specially returned;

Which was adopted.

And forthwith, the Seargeant-at-arms was required to communicate said resolution to the Secretary of State.

The Secretary of State speedily transmitted to the joint meeting all the returns called for by said resolution.

On motion of Mr. Lake,

Ordered, that all the unsealed returns which had come to the hands of the Speaker, be rejected.

Mr. Briscoe moved to spread all the informal returns, on the Journals of the respective Houses;

Which motion was decided to be out of order.

Mr. Briscoe appealed from the decision;

Which appeal the joint meeting refused to sustain.

Mr. Briscoe called for the ayes and noes thereon, which are as follows, to-wit:

Senators—AYES—Messrs. Alcorn, Carter, Davis, Gray, Guion, Harrison, Hodges, Johnson, Lake, McDugald, Price, Pegues, Pettus, Singleton, Sharpe, Stewart and White—17 votes.

NOES—Messrs. Boone, Beene, Briscoe, Cannon, Catchings. Dabney, Greer, Kennedy, Labauve, McAfee, Ramsey and Wilborne—12 votes.

HOUSE AYES—Mr. Speaker, Messrs. Alderson, Brumfield, Barden, Brown, Brooke, Cypert, Connell, Collier, Catchings, Cleaveland, Campbell of Franklin, Dilworth, Dampier, Ellis, Echols, Fortson, Ford, Foree, Foote of Noxubee, Gatlin, Garrett, Godfrey, Houston, Hall, Hill, Henry, Hogue, Huie, Johnston, Liddell, Mason, McLaurin, McInnis, Myers, Moore, Neely, Noble, Nailer Nash, Powell, Stanton, Sanders, Philips, Steger Steele, Slade Simrall, Stewart, Smith of Bolivar, Toulme, Thomas of Marshal, Thomas of Yazoo, Walker, Whitfield, Torrey, Weir, White, Wilds, Williams, West of Holmes, and West of Wayne—59 votes.

NOES—Messrs. Abbott, Arnold, Byrns, Bynum, Bond, Clayton, Cushman, Campbell of De Soto, Duke, Davis, Foote of Tippah, Hamer, Hinds, Harrington, Holden, Hancock, Lynch, Metcalf,

McWilliams, Melton, Neill, Ray, Surat, Trigg, Thomas, Valentine, Weathersby, Whitmore, Wooldridge, and Wilson—31 votes.

Affirmative Senate votes,	17	"
" House "	59	"
	76	"
Negative Senate votes,	12	"
" House "	31	"
	43	"

The Speaker of the House of Representatives proceeded to call the returns of the Governor's election as follows, to-wit:

Official Returns of the vote for Governor.

COUNTIES.	J. W. Matthews.	A. B. Bradford,	F. Labauve.	Read.	Watkins.	Henry.	McCaleb.	McCay.	Davis.	Terry.	Sellers.	Caruthers.	Oaks.
Adams,	415	542											
Amite,	387	92											
Attala,	674								373				
Bolivar,	59	74											
Carroll,	855	733											
Chickasaw,	973	648											
Choctaw,	790	573											
Claiborne,	416	371											
Clarke,	557	2											
Covington,	317	37											
Coahoma,	143	235											
Copiah,	635	389											
De Soto,	752	720											
Franklin,	233	198	3	6									
Green,	212	2											
Hancock,	299	16											
Harrison,	302	19											
Hinds	780	1045											
Holmes,	604	507											
Itawamba,													
Issaquena,	57	75											
Jackson,	312												

Official returns of the vote for Governor.

COUNTIES.	J. W. Matthews.	A. B. Bradford.	F. Labauve.	Read.	Wadkins.	Henry.	McCaleb.	McCay.	Davis.	Terry.	Sellers.	Caruthers.	Oaks.
Jasper,	602	64											
Jefferson,	439	44											
Jones,	204	55											
Kemper,	896	3			6	8	1	5					
Lauderdale,	912	93											
Lawrence,	658	23				1			342				
Leake,	310	14											
Lafayette,	754	635											
Lowndes,	768	457											
Marion,	308	26											
Madison,	499	522											
Monroe,	1098	597											
Marshall,	1245	1186											
Neshoba,	299	70											
Newton,	334	158											
Noxubee,	612	101											
Perry,	175	24											
Pike,	550	9											
Rankin,	470	158											
Scott,	331	103											
Simpson,	335	72											
Smith,	461	46											
Sunflower,	59	32											
Tunica,	41	32											
Tippah,	1361	858								3	10		1
Tishemingo,	1140	353											
Tallahatchie,	237	199											
Warren,	508	887											
Washington,	79	127											
Wayne,	127												
Wilkinson,	303	331											
Winston,	630											14	
Yazoo.	474	498											
	26,995	13,997	3	6	6	9	1	5	615	3	10	14	1

Scattering in Amite county, 9 votes.

Panola, Pontotoc, Oktibbeha, Itawamba, & Yallobusha—The returns from these counties were not counted on account of informality.

Whereupon the Speaker announced, that inasmuch as Mr. Joseph W. Matthews, had received a majority of the votes, he was duly and constitutionally elected Governor of the State of Mississippi, for, and during the term prescribed by law.

The joint meeting next proceeded to the election of a Keeper of the Capitol and Librarian;

On motion of Mr. Cannon,

The joint meeting took a recess for one hour.

The recess having expired,

The joint meeting met,

And proceeded to the unfinished election.

Mr. Cannon moved to conduct said election *viva voce*.

Which was lost.

The President appointed Mr. Cannon of the Senate, and Mr. Liddell of the House, to conduct the ballot.

Mr. Boone of the Senate, nominated John W. Patton, as a candidate for Keeper of the Capitol and Librarian.

Mr. Labauve of the Senate, nominated Mr. P. R. Kenna.

Mr. Cannon of the Senate, nominated Mr. James M. Lewis.

Mr. Alderson of the House, nominated Mr. T. J. Conn of Madison.

The Secretary of the Senate and Clerk of the House of Representatives, proceeded to call their respective rolls, and upon the first ballot the vote stood as follows:

Mr. Patton received	57	votes.
Mr. Lewis "	55	"
Mr. Kenna "	7	"
Mr. Conn "	2	"

The President announced that inasmuch as neither of the candidates had received a Majority of the votes given, there was no election.

The Secretary of the Senate and Clerk of the House proceeded to a second call, and the vote stood as follows:

Mr. Patton received	63	votes.
Mr. Lewis "	57	"
Mr. Kenna "	1	"

Whereupon, the President announced that inasmuch as Mr. John W. Patton had received a majority of the votes given for Keeper of the Capitol and Librarian, he was duly elected.

The joint meeting next proceeded to the election of State Printer.

Mr. Kennedy of the Senate, nominated Messrs. Price & Fall, as candidates for State Printer.

Mr. Guion of the Senate, nominated Mr. Thomas Palmer as a candidate.

On motion of Mr. Cushman of the House,

Said election was conducted *viva voce.*

The Secretary of the Senate and Clerk of the House of Representatives, proceeded to call their respective rolls, and upon the first ballot, the vote stood as follows, to-wit:

Messrs. Price & Fall received	84	votes
Mr. Palmer "	31	"
Mr. Simeon R. Adams "	1	"
Mr. Messenger of Fulton,	1	"
Mr. Martin of Chickasaw,	1	"
Mr. Forsyth,	1	"
Mr. E. Percy Howe,	1	"
Mr. Worthington,	1	"
Mr. Lowrie,	1	"

Those who voted for Messrs. Price & Fall, are:

SENATORS—Messrs. Boone, Beene, Briscoe, Cannon, Carter, Catchings, Davis, Greer, Johnson, Labauve, McDugald, McAffee, Price, Pegues, Pettus, Ramsay, Singleton, Sharp, and Wilbourne.

REPRESENTATIVES—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Brumfield, Byrns, Bynum, Bond, Barden, Brown, Clayton, Carroll, Cushman, Connell, Cleveland, Campbell of De Soto, Campbell of Franklin, Duke, Davis, Dilworth, Dampier, Ellis, Echols, Ford, Foote of Tippah, Gatlin, Garrett, Hamer, Hinds, Harrington, Hall, Holden, Hill, Hancock, Hogue, Huie, Liddell, Lynch, Metcalf, McWilliams, Melton, Neely, Noble, Neill, Ray, Stanton, Surat, Philips, Steger, Steel, Stewart, Thomas of Marshall, Trigg, Torrey, Thomas of Yazoo, Thames, Valentine, Weathersby, Walker, Wilds, Whitmore, Wooldridge, and Wilson—84 votes.

Those who voted for Mr. Thomas Palmer, are:

SENATORS—Messrs. Alcorn, Gray Guion, Harrison, Hodges, Lake, Stewart, and White.

REPRESENTATIVES—Messrs. Brooke, Collier, Catchings, Foote of Noxubee, Ford, Godfrey, Henry, Johnson, Mason, McLaurin,

McInnis, Myers, Nailer, Nash, Powell, Saunders, Slade, Simrall, Smith of Bolivar, White, Williams, West of Holmes, West of Wayne—31 votes.

Mr. Dabney of the Senate, voted for Mr. S. R. Adams.
Mr. Houston of the House, voted for Mr. Martin.
Mr. Hurst " " " " " " Forsyth.
Mr. Toulme, " " " " " " Howe.
Mr. Whilfield " " " " " " Worthington.
Mr. Weir " " " " " " Lowrie.
Mr. Cypert " " " " " " Messenger.

The President announced that inasmuch as Messrs. Price and Fall had received a majority of votes given for State Printer, they were legally elected State Printer, for and during the term prescribed by law.

The joint meeting having accomplished the object of their meeting, the Senate withdrew to their Chamber.

On motion of Mr. Pettus,

The Senate adjourned.

FRIDAY. JANUARY 7TH, 1848.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Alcorn offered the following joint resolution, to-wit:

Resolved, (the House concurring,) that the committee on internal improvements of the two houses, be a joint standing committee during the present session of the Legislature;

Which was read.

On motion of Mr. Alcorn,

The rule was suspended,

And said resolution read the second time, and adopted forthwith.

Mr. Cannon presented the petition of James T. Owen: which,

On his motion,

Was referred to the committee on claims.

Mr. Beene, from a standing committee, made the following report, to-wit:

MR. PRESIDENT—The standing committee on engrossed bills have examined bills of the following titles, to-wit:

A bill to be entitled,

An act to extend the time of holding the probate court of Warren county;

A bill to be entitled,

An act for the relief of Mary Colbert;

And have found the same correctly engrossed.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have examined a bill of the following title, to-wit:

An act to incorporate Chickasaw Lodge No. 24, of the Independent Order of Odd Fellows;

And find the same correctly enrolled.

Mr. Pettus presented the claims of T. Mitchell and Charles C. Scott; which,

On his motion,

Were referred to the committee on claims.

Mr. Briscoe presented the petition of James M. Evans and George O. Wilson;

Which was read; and

On his motion,

Said petition and accompanying document were referred to the committee on the judiciary.

Mr. White presented the petition of C. S. Morris; which,

On his motion,

Was referred to the committee on internal improvements.

Mr. Sharpe asked and obtained leave to the introduction of a bill to be entitled;

An act concerning misdemeanors;

Which was read the first time.

Mr. Guion presented the petition of A. L. Dabney and others;

Which was read; and

On his motion,

Referred to the committee on education.

Mr. Guion presented the petition of A. R. Johnston, and others; which,

On his motion,

Was referred to the committee on education.

Mr. Gray presented the claim of Shields L. Hussey; which,

On his motion,

Was referred to the committee on claims.

Mr. Cannon asked and obtained leave to the introduction of a bill to be entitled,

An act for the relief of T. S. Evans;

Which was read the first time.

Mr. Greer gave notice that he would, on Monday next, ask leave to the introduction of a bill to be entitled,

An act to repeal the forth-coming bond law of this State.

Mr. Harrison, in accordance with previous notice, introduced a bill to be entitled,

An act to dispose of the internal improvement lands of this State;

Which was read the first time.

On motion of Mr. Price,

The message of his Excellency the Governor, asking that the forfeiture incurred by Thomas Williamson and others, securities for E. P. Overby and Henry Moore, indicted before the Smith circuit court, be remitted,

Was called from the table.

On motion of Mr. Price,

The Senate went into secret session with open doors.

On the further motion of Mr. Price,

The Senate advise and consent to a remission of said forfeiture.

Mr. Guion offered the following resolution, to-wit:

Resolved, that the Door-keeper be, and he is hereby authorized, to employ a youth to act as messenger of the Senate;

Which was read and adopted.

Mr. Harrison asked and obtained leave to the introduction of a bill to be entitled,

An act to extend the time of holding the probate court of Monroe county;

Which was read the first time.

On motion of Mr. Harrison,

The constitutional rule was suspended,

And said bill was read the second time by title; and

Ordered to be engrossed for a third reading on to-morrow.

The Senate proceeded to the consideration of the orders of the day.

A bill from the House of Representatives to be entitled,

An act to incorporate Marshall Lodge No. 25, Independent Order of Odd Fellows, Lamar, Mississippi,

Was read the first time.

A bill to be entitled,

An act to incorporate Lexington Royal Arch Chapter No. 9, in the town of Lexington,

Was read the first time.

On motion of Mr. Alcorn,

The Senate resolved itself into a committee of the whole on a resolution calling the message of the Governor from the table, &c., and after some time spent therein, the committee rose, and Mr. Cannon reported the following resolutions, to-wit:

1st. *Resolved*, that that part of the Governor's message which relates to the Planters Bank bonds, be referred to the committee on banks and currency.

2d. *Resolved*, that so much of the message as refers to the revenue, be referred to the committee on finance.

3d. *Resolved*, that so much of the message as relates to receiving Planters Bank bonds and *coupons*, be referred to the committee on the judiciary.

4th. *Resolved*, that so much of the Governor's message as relates to the Southern Rail Road, be referred to the committee on internal improvements.

5th. *Resolved*, that so much of the message as refers to the defalcation of Graves, be referred to the committee on finance.

6th. *Resolved*, that that part of the Governor's message relating to the 500,000 acres of land, be referred to a joint select committee of five on the part of the Senate, and on the part of the House.

7th. *Resolved*, that so much of the message as relates to the protection of settlers upon the State and school lands, be referred to the committee on propositions and grievances.

8th. *Resolved*, that so much of the message as relates to the construction of a levee upon the bank of the Mississippi river, be referred to the committee on internal improvements.

9th. *Resolved* that that part of the Governor's message which relates to the increase of taxation, be referred to the committee on on finance.

10th. *Resolved*, that so much of the Governor's message as re-

fers to the Chickasaw school lands, be referred to a joint committee of five on the part of the Senate, and on the part of the House.

11th. *Resolved*, that so much of the Governor's message referring to the mode of keeping accounts in the Auditor's office, be referred to the standing committee on accounts.

12th. *Resolved*, that so much of the Governor's message as relates to the State University, at Oxford, be referred to the standing committee on education.

13th. *Resolved*, that so much of the Governor's message as relates to the common school law of the last session, be referred to the committee on education.

14th. *Resolved*, that so much of the Governor's message as relates to lands bought by the State on account of taxes, be referred to the committee on finance.

15th. *Resolved*, that so much of the Governor's message as relates to the educational wants of the State, be referred to the committee on education.

16th. *Resolved*, that so much of the Governor's message as relates to district attorneys, be referred to the judiciary committee.

17th. *Resolved*, that so much of the Governor's message as relates to the penitentiary, be referred to the joint standing committee on the penitentiary.

18th. *Resolved*, that so much of the Governor's message as relates to the teaching of the blind and a lunatic asylum, be referred to a select committee of three on the part of the Senate, and on the part of the House.

19th. *Resolved*, that so much of the Governor's message as relates to the compilation of the statutes, and to the law and chancery reports, be referred to the committee on the judiciary.

20th. *Resolved*, that so much of the Governor's message as relates to the mode of paying members of the Legislature, judges, &c., be referred to the judiciary committee.

21st. *Resolved*, that that part of the message relating to the Mexican war, be referred to a joint committee to be raised on state and federal relations.

22d. *Resolved*, that so much of the Governor's message as refers to the Wilmot Proviso and slavery, be referred to the committee to be raised on federal relations.

On motion of Mr. Cannon,

The report was received and agreed to, and the committee discharged from the further consideration of said message.

A bill to be entitled,

An act concerning the pay of talis jurors,

Was read the second time.

On motion of Mr. Labauve,

Said bill was referred to the committee on the judiciary.

A bill to be entitled,

An act for the relief of Mary Colbert,

Was read the third time, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to extend the time of holding the probate court of Warren county,

Was read the third time, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to repeal an act approved the 4th day of March, 1846, entitled "an act to divide the State of Mississippi into four congressional districts,"

Was read the second time.

On motion of Mr. Briscoe,

Said bill was laid on the table.

Mr. Carter asked and obtained leave to the introduction of a bill to be entitled,

An act requiring clerks to pay postage in certain cases;

Which was read the first time.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT.—I am instructed by the House of Representatives to inform the Senate that they have adopted the following resolution:

"*Resolved*, (the Senate concurring,) that the 14th joint standing rule of the Legislature, be so amended that after 'a joint committee of accounts,' it shall read 'a joint standing committee on the University.'"

On motion of Mr. Pettus,

Ordered, that said resolution be referred to the committee raised to revise the joint rules of both houses.

Mr. Alcorn moved an adjournment.

Mr. Boone moved for a recess till 2 o'clock.

The question was first had on the adjournment,

And decided in the affirmative.

SATURDAY, JANUARY 8TH, 1848.

The Senate met pursuant to adjournment.

The roll being called, and a quorum not appearing,

On motion of Mr, Gray,

The Senate adjourned.

MONDAY, JANUARY 10th, 1848.

The Senate met persuant to adjournment.

The Journal of yesterday was read.

The President announced the appointment of the following joint committees raised on the Governor's Message;

On the sixth resolution in relation to the 500,000 acres of land;

Messrs. Pettus, Boone, White, Stewart, and Gray, were appointed a committee of five on the part of the Senate.

On the tenth resolution which relates to the Chickasaw School land;

Messrs Price, Greer, Beene, Bradford, and Labauve, were appointed a committee of five on the part of the Senate.

On the eighteenth resolution, which relates to the teaching of the blind and a Lunatic Asylum;

Messrs. Wilborne, Sharpe, and Hodges were appointed a committee of three on the part of the Senate.

On the twenty-first resolution, which relates to the Mexican War;

Messrs. Boone, Gray, and Harrison, were appointed a committee of three, and called a committee on State and Federal relations.

On the twenty-second resolution, which relates to the Wilmot Proviso and Slavery;

The same committee were appointed on this resolution as on the last, called the committee on State and Federal relations.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—I am instructed by the House of Representatives, to inform the Senate that they have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to make Notarial Protests without the limits of the State prima facia evidence.

A bill to be entitled,

An act to provide for the compensation of talis Jurors.

A bill to be entitled,

An act to provide for the disposal of the 500,000 acres of land granted to the State of Mississippi, for purposes of Internal Improvement, by an act of Congress, approved on the 4th day of September, 1841.

A bill to be entitled,

An act to amend an act, entitled an act, to incorporate the town of Rodney, and for other purposes, approved Feb. 10th, 1844.

A bill to be entitled,

An act to incorporate the town of Lexington, in the county of Holmes.

A bill to be entitled,

An act to apportion the bands of the incorporation of the town of Fulton, in the county of Itawamba, on the road leading from Fulton to Pontotoc, and for other purposes.

A bill to be entitled,

An act to repeal all laws now in existence making judgments rendered by Justices of the Peace in civil cases, liens on the property of defendants in judgment.

A bill to be entitled,

An act to incorporate the Macon Female Institute, in the county of Noxubee.

A bill to be entitled,

An act to amend an act, entitled an act, to establish a system of Common Schools, and for other purposes, approved 4th March, 1846.

A bill to be entitled,

An act to simplify the law in actions of ejectment.

A bill to be entitled,

An act exempting certain lands from taxation.

A bill to be entitled,

An act to incorporate the Mississippi Manufacturing Company.

Also, a resolution requiring the Secretary of State to furnish Reports to probate courts.

A bill to be entitled,

An act to incorporate the town of Delta, in the county of Coahoma.

The House have passed bills of the following titles:

A bill to be entitled,

An act to incorporate Wildey Lodge No. 21, of the Independent Order of Odd Fellows.

A bill to be entitled,

An act to change the time of holding the probate court of Winston county, and for other purposes.

A bill to be entitled,

An act to incorporate Canton Royal Arch Chapter No. 10, of Free and Accepted Masons in the town of Canton, Madison county.

And have also adopted the following resolution:

Resolved, (with the concurrence of the Senate,) that a joint select committee of five on the part of the House, and —— on the part of the Senate, be appointed to wait on his Excellency Joseph W. Matthews, the Governor elect, and inform him that he is duly and constitutionally elected Governor of the State of Mississippi for two years, and request him to state when it will suit his convenience to be inaugurated.

The chair appointed as said committee, Messrs. McWilliams, Echols, Valentine, and Harrison.

The House have also concurred in the resolution of the Senate, extending to Major Generals Zachary Taylor and John A. Quitman, an invitation to visit the Capital of the State during the session of the legislature;

And have made an amendment thereto, as a substitute.

The chair appointed as said committee on the part of the House, Messrs. Wooldridge, Henry, Stanton, Simrall, and Cushman.

In all of which I am instructed to desire the concurrence of the Senate.

The Speaker of the House has signed the Senate bill of the following title:

An act to incorporate Chickasaw Lodge No. 24, of the Independent Order of Odd Fellows.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

To the Senate and House of Representatives:

I have the honor to transmit a detailed statement of the several funds under my control, during the last two years. On rendering my accounts at the close of my first official term, there remained a balance in my hands of eight hundred and six dollars—seven hundred and fifty dollars of which was subsequently advanced towards the payment for a fire engine and aparatus, to be used in this city. In view of the large amount of property owned by the State in this town, it was deemed proper to take some prudential step to secure it against loss by fire. The city authorities entered into a written agreement to refund the money if the Legislature should refuse to sanction the transaction. The item ($750) will be found charged in the accounts herewith transmitted, and the agreement alluded to is on file in the Executive office. The citizens of Jackson were unable to furnish the necessary engine and apparatus to secure the public buildings against fire, and if they had been, the burthen of doing so ought not, it seems to me, to have been thrown on them alone, since they have only an interest in common with other citizens in the preservation of the property. They will freely give their individual exertions in case of fire, and I think the State ought to furnish them the means of making those exertions effective. The engine could not have been purchased but for the advance made by me, and I therefore recommend that the city be not compelled to repay the money already advanced, and that an appropriation be made to pay the remaining cost, to-wit; $750. The engine will then be the property of the State.

The Executive contingent fund has been drawn from the treasury for the two years last past, as may be seen by an examination of my accounts. The items debited will show for what purposes it has been expended. Your attention is specially invited to the fact that more than one thousand dollars have been expended

in the last twelve months for repairs to the public buildings—an item of $496 75-100 of which was paid to James Smith for putting a tin roof on a part of the Executive Mansion in place of the old roof, which was blown off in a violent storm and so destroyed as not to be worth replacing. The expenditures on the State House and Mansion which have only been sufficient to secure them against decay, show the necessity for a biennial appropriation to keep them in repair. It may not always be found compatible with other interests, to trench so largely as I have been compelled to do, upon the contingent fund for these objects. Vouchers are on file in this department for all the items charged in the account.

When I accounted to the treasury for the two per cent. fund received by me from the United States, two thousand nine hundred and ninety-one dollars was retained in my hands to meet certain expenses necessarily incurred in prosecuting the suit against Graves' securities, and in defraying the expenses of volunteers for the Mexican war. $1,946 63-100 have been expended on the volunteer account, chiefly for the battalion last called for from this State. The vouchers should be speedily presented at the War office and a settlement requested; and judging from the prompt manner in which our accounts against the first and second regiments were adjusted, I do not doubt those against the battalion will be paid on the presentation of the vouchers. I used the fund because there was no other in my hands, and it was utterly impossible to organize the battalion without money. Two unsuccessful efforts had been made to get up the battalion, and after nearly three months delay thre was but one company at the rendezvous. Under these circumstances, I was left to choose between the course pursued by me, which has resulted in the organization of the battalion, and a total abandonment of all further efforts and a consequent failure to meet the call of the President for troops. I did not hesitate, because I could not doubt as to what the Legislature and the people would expect the executive to do in such an emergency. Other States have appropriated large sums for these purposes. The Executive of Mississippi, in the absence of the Legislature, has been left to provide for them as best he could. I have the satisfaction of knowing that but few accounts of this description contracted by my order, are left unsettled. The sums paid on account of the

suit against Graves' securities, will be found charged in the accounts to Jesse Mabry—the vouchers are on file in this department. The original defalcation, it will be recollected, was for forty-four thousand dollars, on which a judgment has since been obtained, in the circuit court of Carroll county, for upwards of fifty thousand dollars. It was ascertained soon after the adjournment of the last Legislature, that some of the securities had made, and others were about making transfers of their property, and that one or more had removed from the State. The debt was then in danger of being entirely lost, and it was too large to be abandoned without an effort to save it. Under these circumstances, it was deemed best to appoint an agent to superintend the interest of the State. Col. Mabry at my solicitation undertook the agency, and immediately entered upon the duties appertaining thereto. He caused a considerable amount of property to be levied on in this State, some of which was sold, and some is yet involved in law suits. He pursued one of the securities to Louisiana and caused about fifty of his slaves to be levied on: after more than a year's litigation, the original judgment under which the execution issued, was set aside. Proceedings were again instituted, since which time no other judgment has been rendered. The suit is still pending before the court in Madison Parish, Louisiana. The services of the agent being no longer required, he was discharged. His report is herewith transmitted, together with letters No. 1, 2, 3, 4 and 5. The sums stated in the accounts are in full compensation for his services and all expenses incurred by him.

Five thousand dollars was appropriated at the last session of the Legislature to the grading and enclosing the Capitol Square in Jackson. The contract for the stone work was let to John Robb of Jackson, at two thousand one hundred dollars, and iron was supplied and put up by White and Bobb of Vicksburg, for $2,392, as per contract. These contracts have been discharged; the balance of the money was expended in the wood work, freight and for other purposes, as per accounts and vouchers. There is yet due Caleb A. Parker, seventy-five dollars for cementing the wall, and to James Smith, two hundred dollars for lamps, when the same shall be finished and put up according to the drawing furnished by Wm. Nichols, State Architect. There are no other unsettled charges.

A number of fugitives from justice have been proclaimed by me, and rewards offered for them. They have not yet been arrested, and possibly never may be; but if they should, the Legislature, it is to be hoped, will make suitable provision for paying the rewards by placing the means at the disposal of my successor. If the fugitives are never arrested, the money will never be called for, and if they are, the rewards ought to be paid. Under no circumstances will it require more than $800. There are some small bills for printing not paid, because not presented, amounting in the aggregate to some forty or fifty dollars—besides these, there are no other unsettled accounts contracted by me.

The memorial of Col. Jefferson Davis, late commander of the 1st Mississippi Rifles in Mexico, is herewith transmitted. The memorialist asks relief against certain pecuniary losses sustained by him personally, in supplying his regiment with clothing whilst in the service. The documents transmitted detail all the circumstances under which the loss was incurred, and the whole subject is referred to the Legislature with a recommendation that the relief asked for be granted.

In closing this communication, I feel it due to the Legislature and to my successor, to recommend an appropriation to furnish the Governor's Mansion. The house is not in a habitable condition without a very considerable outlay of money by the incumbent, and it has not been so at any former period.

EXECUTIVE CHAMBER,
January 6, 1848. } A. G. BROWN.

Mr. Stewart presented the petition of Joseph Horn;

Which was read; and

On his motion,

Referred to the committee on propositions and grievances.

Mr. Guion presented the claim of John Kitrell; which,

On his motion,

Was referred to the committee on claims.

Mr. Alcorn presented the claim of John R. Langford; which,

On his motion,

Was referred to the committee on claims.

Mr. Stewart presented the claim of Henry and Daniel Miller; which,

On his motion,

Was referred to the committee on claims.

Mr. Beene, from the standing committee on engrossed bills, made the following report, to-wit:

Mr. President—The standing committee on engrossed bills, have examined a bill to be entitled,

An act to extend the time of holding the probate court of Monroe county;

And have found the same correctly engrossed.

Mr. Boone presented the claim of Younger Pitts and others; which,

On his motion,

Was referred to the committee on claims.

The Senate proceeded to the consideration of the message last received from his Excellency the Governor.

On motion of Mr. Gray,

The further reading of said message was suspended.

On motion of Mr. Gray,

The Senate took up the resolution from the House of Representatives, appointing a joint select committee of five on the part of the House, and on the part of the Senate, to wait on his Excellency Joseph W. Matthews, the Governor elect, and inform him that he is duly and constitutionally elected Governor of the State of Mississippi for two years, and request him to state when it will suit his convenience to be inaugurated; and

On motion of Mr. Gray,

Said resolution was concurred in.

Messrs. Boone, Cannon and Greer were appointed a committee of three on the part of the Senate, on said resolution.

On motion of Mr. Boone,

Ordered, that the Secretary of the Senate inform the House of Representatives forthwith, that the Senate had concurred in their said resolution, and had appointed a committee to act conjointly with the House committee.

Mr. Price asked and obtained leave to the introduction of a bill to be entitled,

An act for the relief of sheriffs and tax collectors;

Which was read the first time.

Mr. Lake presented the claim of George Markham; which,

On his motion,

Was referred to the committee on claims.

Mr. Briscoe asked and obtained leave to the introduction of a bill to be entitled,

An act to attach the county of Claiborne to the second judicial district, for the election of the judges of the high court of errors and appeals;

Which was read the first time.

Mr. Lake asked and obtained leave to the introduction of a bill to be entitled,

An act for the relief of William Isaac Bruner;

Which was read the first time.

Mr. Boone, from a joint select committee, made the following report, to-wit:

Mr. President—The joint committee appointed to wait on the Governor elect and inform him of his election, and desire him to say when it would suit his convenience to take the oath of office, have discharged that duty. His Excellency desires the ceremonies to be gone through forthwith, owing to the indisposition of his family.

On motion of Mr. Cannon,

The report was received and agreed to.

Mr. Singleton asked and obtained leave to the introduction of a bill to be entitled,

An act to amend an act entitled an act to amend the several acts of this State in relation to free negroes and mulattoes;

Which was read the first time.

On motion of Mr. Singleton,

The constitutional rule was suspended,

And said bill was read the second time by title.

On the further motion of Mr. Singleton,

Said bill was referred to the judiciary committee.

Mr. Greer asked and obtained leave to the introduction of a bill to be entitled,

An act to amend an act entitled an act to reduce into one the several acts concerning executors, and for the relief of insolvent debtors, passed June 22d, 1822;

Which was read the first time.

Mr. Greer moved to suspend the constitutional rule, and read said bill the second time forthwith by title;

Which was lost.

Mr. Boone offered the following resolution, to-wit:

Resolved, (the House concurring,) that a joint select committee, consisting of three, on the part of the Senate, and on the part of the House, be appointed to draft and bring in a bill calling a convention of this State, to form a new constitution;

Which was read the first time.

On motion of Mr. Boone,

The constitutional rule was suspended;

And said resolution was read the second time forthwith, and adopted.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Boone, Beene, Briscoe, Cannon, Carter, Catchings, Davis, Dabney, Gray, Greer, Harrison, Hodges, Johnson, Labauve, McDugald, Pegues, Pettus and Sharpe—19 votes.

Noes—Messrs. Alcorn, Guion, Kennedy, Lake, Price, Ramsay, Stewart, White and Wilbourn—9 votes.

Messrs. Boone, Stewart and Gray, were appointed a committee on said resolution.

Mr. Alcorn gave notice that he would, on Wednesday next, introduce a bill to be entitled,

An act to provide for the construction of a levee upon the east bank of the Mississippi River, from the mouth of Muddy Bayou to the Tennessee line.

Mr. Boone introduced to the Senate, the Hon. John D. Bradford, Senator elect from the county of Pontotoc, who gave in his credentials, was sworn in, and took his seat.

Mr. Pettus gave notice that he would, at some future day, ask leave to introduce a bill,

To fix a penalty for Magistrates' exercising jurisdiction beyond the limits prescribed by law.

On motion of Mr. Boone,

The Senate took a recess of ten minutes.

On the further motion of Mr. Boone,

The vote ordering a recess, was reconsidered.

The following message was received from the House of Representatives, through their clerk, to-wit:

Mr President—I am instructed to inform the Senate, that the House of Representatives have agreed to the report of the joint select committee, raised to wait on his Excellency, the Governor elect, in which the Governor asks, that all formalities be dispensed with; and the Hall is now in readiness for the reception of the Senate, to proceed to the installation.

And forthwith the Senate proceeded to the House of Representatives, preceded by the Sargeant-at-arms, and took the seats assigned them.

The President having explained the object for which the two Houses had come together,

The Governor elect, together with Chief Justice Sharkey and Judges Clayton and Thatcher, entered the Representative Hall, and took the seats in front of the Sheaker's chair.

His Excellency, Joseph W. Matthews, then arose and delivered the following inaugural address, in presence of the two Houses and an assemblage of citizens:

Fellow-Citizens:—

Being called by the voice of the people of the State to take charge of the Executive department of their government, before taking the oath of office required by the constitution, in obedience to custom, I proceed, briefly, to declare the principles by which I intend to be governed in the discharge of the high and responsible trust committed to my hands.

Our general government, embracing a confederation of independent sovereignties, was created by the delegation of certain powers for national purposes, by those sovereignties, and all the powers not thus delegated, were reserved to the states or to the people.

In my judgment the preservation of our institutions, and of the rights and liberties of the people, depends upon a strict adherence to the constitutional compact, and to the limitations in the exercise of powers prescribed, to the general government on the one hand and reserved by the states on the other.

With these views of the powers of the federal and state governments, I shall be careful not to recommend or sanction any measure which will conflict with the just powers of either.

In the federal constitution, the power of admitting new states into the Union is given to Congress, but, it has no right to require any other condition of such states in order to admission, than the adop-

tion of republican forms of government—leaving to the people the right of determining their own domestic policy.

The institution of domestic slavery, at the formation of the federal constitution, existed in a majority of the states forming the Union—they entered the Union without delegating to Congress any power whatever to legislate upon the subject, except to prohibit the foreign slave trade.

The power to control the institution within their respective limits, was therefore a right reserved to the states, and with which Congress cannot, without a usurpation of power, interfere.

In the constitutional compact between the states, it was expressly stipulated, that new states might be admitted into the Union "*upon the same footing with the original states.*"

The prohibition of slavery was not made a *condition* of the union of the original states, it cannot therefore be made a condition of the admission of new states.

So far from the institution of slavery constituting an objection to the union of the original states, it is expressly recognized by the constitution, and guarantees for its protection were incorporated into that instrument; for the states into which fugitive slaves might fly, were bound to deliver them to their owners, although slavery might be prohibited by the laws of such states.

The institution of slavery is a right reserved by the states, and if Congress refuses a new state admission into the Union because of the existence of slavery within its limits, such refusal, in my judgment, will be a flagrant disregard of the injunctions of the constitution, and an abandonment of the compact, which, at present, and it is fondly hoped shall, to the end of time, bind together the states of this glorious Union.

Our present territory, or that which may be acquired, is, and will be, the common property of the United States. To prohibit the citizens of one portion of the Union from inhabiting such territory without first submitting to a disfranchisement of rights secured to them by the constitution, would be a palpable violation of that clause which provides that "citizens of each state shall be entitled to all the privileges and immunities of citizens in the several states."

This is a momentous question; one on which is suspended the existence of this happy confederacy. It is useless to evade the

question by refusing territorial indemnity from Mexico. It must be met. We must know whether the compromises of the constitution are to be respected; whether citizens of the slave states are to be considered as equals with their northern brethren, and whether slavery is regarded as such a crime, that those who hold this species of property are unworthy of an association with the inhabitants of the free states.

Experience has proven that no people have ever gained anything by yielding to invasions of their rights, but, generally in the end, they lose every thing; and while I believe that we should, in reference to this momentous and exciting question, exercise moderation; while I would appeal to the interest, the patriotism and the justice of our brethren of the free states, and entreat them to pause and reflect well, before they take a step which must result in consequences appalling to the heart of every patriot; yet I would meet any, and all attempts to interfere with or invade our constitutional rights with a firmness and decision that should be felt and respected.

On this subject they can yield, but we cannot. We have no desire to interfere with their domestic institutions, nor can we submit to their interference with ours. We ask not that slavery shall exist in a state, in order to its admission into the Union, but that the people of such state shall establish such domestic institutions as they may deem most conducive to their interests and happiness. To prevent the extension of slave territory, would prove the greatest calamity to that portion of population. If they were liberated, they could not remain amongst us. They are prohibited from migrating to most of the free states, and denied the right of citizenship, I believe, in all. What, then, should we do with them? Soon, their natural increase would lead, either to their extermination, or to the expulsion of the white race. And can that be an enlightened philanthropy which must end in consequences so disastrous and so shocking to every feeling of humanity!

In reference to the war, now existing between the United States and Mexico, believing it was forced on us by Mexico, and unavoidable on our part without dishonor, I am in favor of its vigorous prosecution until an honorable peace can be secured with indemnity for past injuries, and security for the future.

Believing as I do, that every American citizen is entitled to the

same political rights, and has the same claims upon this government, without regard to his occupation or profession, I shall oppose all measures giving exclusive privileges to one portion of the people at the expense of any other portion. I shall therefore oppose the creation of banks or banking privileges, state or national. I am opposed to a tariff discriminating for the purpose of protecting domestic manufactures, or for any other purpose than revenue; believing such a tariff to be unconstitutional, unjust, and oppressive to the great mass of the people. In the administration of our state government, I shall favor a rigid economy, and shall require a faithful discharge of duty by all public officers. I am in favor of a prompt payment of all just claims against the State, at the earliest practicable period. I shall advocate the encouragement and maintenance of a system of common school education, by all constitutional means, that the blessings of education may be brought within the reach of every child in the state, by which he may be the better qualified to discharge his duty to his fellow men, his country and his God.

Our State University, our Colleges, and other institutions of learning, are also entitled to the fostering care of the government. The lands appropriated by Congress, in lieu of the sixteenth sections in the Chickasaw cession, I think, should be disposed of, the proceeds invested safely and profitably, and the interest appropriated for the support of schools in that portion of the state.

The five hundred thousand acres of land donated by Congress to the state, for purposes of internal improvement, should be so disposed of as to secure at as early a period as practicable, the benefits intended to be conferred on the state by this munificent grant. In the disposition of these lands, I am in favor of pre-emptions at a minimum price, to be established by law, and of the application to them of the graduation principle, the salutary effects of which have been exemplified in a neighboring part of the state.

To enhance the value of these lands, and the lands of our citizens in their vicinity, and from various other considerations, I am in favor of, and would recommend the levying of the Mississippi river, by a tax upon all lands subject to taxation between the high lands and the river, placing the State on the same footing with individual land holders.

If the act of the last Legislature for organizing the Eastern Rail

Road Company, should be found to be defective, I shall be in favor of such amendments as may be necessary to expedite that improvement, by all means which are not calculated to involve the State on its account.

I shall heartily co-operate with the other departments of the government in all measures calculated to promote the general interests and prosperity of the State, and to do equal justice to all its citizens. Distrusting my own abilities, I shall rely with confidence upon the wisdom and patriotism of the Legislature, invoking the support of my fellow-citizens when right, and their charitable indulgence and forbearance when wrong.

In conclusion, I tender to the people of the state my grateful acknowledgments for their kind partiality and confidence; and may that God, who presides over the destinies of nations, and whose kind providence has bestowed on our happy country unnumbered blessings, grant us wisdom so to discharge our several duties, that our beloved country may continue to prosper, and our people remain free, virtuous and happy.

JOSEPH W. MATTHEWS.

JACKSON, January 10th, 1848.

Chief Justice Sharkey then administered the oath of office to the Governor elect, and he then withdrew.

The Sargeant-at-arms then announced that his Excellency, Joseph W. Matthews, was duly installed Governor, and Commander-in-Chief of the army and navy of the State of Mississippi.

The President of the Senate announced that the object of the joint meeting being accomplished, the Senate withdrew to their Chamber.

On motion of Mr. Labauve,

The Senate adjourned.

TUESDAY, JANUARY 11th, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

The following message was received from the House of Representatives, through their clerk, to-wit:

MR. PRESIDENT,—I am instructed by the House of Representa-

tives to inform the Senate, that the House have concurred in the resolution of the Senate, making the committee on internal improvements, of the two Houses, a joint standing committee during the present session of the Legislature.

The House have also concurred in the resolution of the Senate, appointing Tuesday, the 11th inst., at 11 o'clock, for the two Houses to convene in the Representative Hall, for the purpose of electing a Senator to the Congress of the United States, to fill the vacancy occasioned by the death of the Hon. Jesse Speight.

Mr. Guion presented the claim of Caleb A. Parker; which,

On his motion,

Was referred to the committee on claims.

Mr. McDugald presented the claim of Stephen Langford; which,

On his motion,

Was referred to the committee on claims.

Mr. Price from the committee on enrolled bills, made the following report, to wit:

Mr. President—The joint standing committee on enrolled bills, have presented to his Excellency, the Governor, a bill of the following title, viz:

An act to incorporate Chickasaw Lodge No. 24, of the Independent Order of Odd Fellows.

Mr. Price presented the claim of H. W. Byrn; which,

On his motion,

Was referred to the committee on claims.

Mr. Singleton presented the petition of Thomas Mabry, in addition to the one presented on last Thursday; which,

On his motion,

Was referred to the committee on propositions and grievances.

Mr. Cathchings asked and obtained leave to the introduction of a bill to be entitled,

An act to repeal the incorporation of the town of Gallatin, in Copiah county, and for other purposes;

Which was read the first time.

Mr. Sharpe asked and obtained leave to the introduction of a bill to be entitled,

An act to prohibit the circulation of foreign bank notes in this State;

Which was read the first time.

Mr. Briscoe asked and obtained leave to the introduction of a bill to be entitled,

An act to incorporate Franklin Lodge No. 5, of the Independent Order of Odd Fellows, in Port Gibson, Claiborne county;

Which was read the first time.

Mr. Guion called for the consideration of the amendment made by the House of Representatives, to a resolution from the Senate, appointing a committee to invite Major Generals Zachary Taylor and John A. Quitman to visit the capital of Mississippi, during the present session of the Legislature; and,

On motion of Mr. Guion,

Said amendment was concurred in.

The Senate proceeded to the consideration of the orders of the day.

A bill from the House of Representatives, to be entitled,

An act to incorporate Wildey Lodge No. 21, of the Independent Order of Odd Fellows, in the city of Aberdeen;

Was read the first time.

A bill to be entitled,

An act to change the time of holding the Probate court of Winston county, and for other purposes;

Was read the first time.

A bill to be entitled,

An act to incorporate Canton Royal Arch Chapter No. 10, of Free and Accepted Masons, in the town of Canton Madison county;

Was read the first time.

A bill to be entitled,

An act to incorparate Marshall Lodge No. 25, Independent Order Odd Fellows, Lamar, Miss.;

Was read the second time.

A bill to be entitled,

An act to incorporate Lexington Royal Arch Chapter No. 9, in the town of Lexington;

Was read the second time; and,

Ordered to a third reading on to-morrow.

A bill to be entitled,

An act for the relief of T. S. Evans;

Was read the second time.

Mr. Guion offered the following amendment, to-wit:

"Add to the second section, the following proviso:

"Provided, that noting in this act, shall be so construed as to confer upon said Evans any political privileges."

Pending said amendment,

Mr. Greer moved to lay the bill and amendment on the table;

Which was lost.

The question was then had on the adoption of the amendment; and decided in the affirmative;

And said bill, as amended, was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled,

An act to dispose of the internal improvement lands of this State;

Was read the second time.

On motion of Mr. Harrison,

Said bill was referred to the joint select committee, raised on the five hundred thousand acres of land.

A bill to be entitled,

An act requiring clerks to pay postage in certain cases;

Was read the second time.

On motion of Mr. Pettus,

Said bill was referred to the judiciary committee.

A bill to be entitled,

An act concerning misdemeanors;

Was read the second time.

On motion of Mr. Catchings,

Said bill was referred to the judiciary committee.

A bill to be entitled,

An act to extend the time of holding the Probate court of Monroe county;

Was read the third time,

And passed.

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to attach the county of Claiborne to the second Judicial District, for the election of Judges of the High Court of Errors and Appeals;

Was read the second time,

On motion of Mr. Briscoe,

Said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled,

An act for the relief of William Isaac Bruner;

Was read the second time.

Mr. Labauve moved to lay said bill on the table;

Which was lost.

Mr. Boone offered the following amendment, to-wit:

Amend by adding—

"Sec. . *And be it further enacted*, That the provisions of this act be extended to all young men that have reached the age of 20 years;"

Which was lost.

On motion of Mr. Lake,

Said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled,

An act to amend an act entitled an act to reduce into one the several acts concerning executions, and for the relief of insolvent debtors, passed June 22d, 1822,

Was read the second time.

On motion of Mr. Greer,

Said bill was referred to the judiciary committee.

A bill to be entitled,

An act for the relief of sheriffs and tax collectors,

Was read the second time.

On motion of Mr. Price,

Said bill was laid on the table.

On motion of Mr. Price,

The Senate took a recess for ten minutes.

The recess having expired,

The Senate met.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—I am instructed by the House of Representatives to inform the Senate that the Hall of the House is now in readiness for the reception of the Senate, to the end that the two houses, in conformity with a joint resolution adopted by the two houses, may convene in the Hall of the House at 11 o'clock, on

Tuesday the 11th instant, for the purpose of electing a Senator in the Congress of the United States, to fill the vacancy occasioned by the death of the Hon. Jesse Speight.

The Senate forthwith repaired to the Hall of the House of Representatives, and took the seats assigned them in the Hall of the House.

The President of the Senate having announced the object of the joint meeting,

On motion of Mr. Stanton, of the House,

The Hon. Jefferson Davis was proclaimed Senator by acclamation, to fill the vacancy occasioned by the death of the Hon. Jesse Speight.

On motion of Mr. Labauve,

The Secretary of the Senate and the Clerk of the House of Representatives proceeded to call their respective rolls, and the vote for Mr. Davis stood as follows, to-wit:

Senators—Mr. President, Messrs. Alcorn, Boone, Beene, Bradford, Briscoe, Cannon, Carter, Catchings, Davis, Dabney, Gray, Greer, Guion, Harrison, Hodges, Johnson, Kennedy, Lake, Labauve, McDugald, McAffee, Price, Pegues, Pettus, Ramsay, Singleton, Sharpe, Stewart, Wilborne and White—31 votes.

House—Mr. Speaker, Messrs. Abbott, Alderson, Arnold, Brumfield, Byrn, Bynum, Bond, Barden, Brown, Brooke, Cox, Clayton, Cushman, Connell, Collier, Catchings, Cleveland, Campbell of Desoto, Campbell of Franklin, Duke, Davis, Dilworth, Dampier, Ellis, Echols, Fortson, Ford, Foree, Foote of Noxubee, Foote of Tippah, Gatlin, Garrett, Godfrey, Hamer, Hinds, Houston, Harrington, Hall, Hurst, Holden, Hill, Hancock, Henry, Hogue, Huie, Johnston, Lynch, Mason, McLaurin, McInnis, Myers, Metcalf, Melton, McAffee, Moore, Neely, Noble, Nailer, Nash, Neill, Powell, Ray, Stanton, Sanders, Surat, Phillips, Steger, Steel, Slade, Simrall, Stewart, Smith of Bolivar, Toulme, Thomas, Trigg, Torrey, Thomas, Thames, Valentine, Weathersby, Walker, Whitfield, Weir, White, Wilds, Wooldridge, Wilson, Williams, West of Holmes, West of Wayne, and Whitmore—91 votes.

The President announced that, inasmuch as the Hon. Jefferson Davis had been declared by acclamation a Senator in the Congress of the United States, to fill the vacancy occasioned by the death of the Hon. Jesse Speight, he was duly and constitutionally elected

Senator to the Congress of the United States for the unexpired term aforesaid.

The joint meeting having accomplished the object of their meeting, the Senate withdrew to their Chamber.

Mr. Alcorn offered a resolution of the following title, to-wit:

Resolution for the relief of settlers upon the State and school lands;

Which was read the first time.

On motion of Mr. Alcorn,

Said resolution was laid on the table.

Mr. Alcorn offered the following resolution as a substitute therefor, to-wit:

Resolved, (the House concurring,) that a joint select committee of five on the part of the Senate, and on the part of the House, be appointed, and to that committee be referred all the petitions of the settlers upon the State and school lands;

Which was read the first time.

On motion of Mr. Alcorn,

The constitutional rule was suspended,

And said resolution was read the second time, and adopted forthwith:

Messrs. Alcorn, Boone, Dabney, Bradford and White, were appointed said committee.

On motion of Mr. Labauve,

The resolution of the first above named title, was called from the table, and referred to the committee last named.

Mr. Guion presented the memorial of A. Hutchinson;

Which was read; and

On his motion,

Said memorial and the accompanying documents, were referred to the committee on the judiciary.

On motion of Mr. Singleton,

Ordered, that Mr. White, the Honorable Senator from Issaquena, &c., be added to the joint standing committee on internal improvements.

On motion of Mr. Labauve,

The Senate adjourned.

WEDNESDAY, JANUARY 12th, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

The following message was received from the House of Representatives, through their Clerk, to-wit:

The House have concurred in the following Senate resolutions:

1st. *Resolved*, that so much of the Governor's Message as relates to the teaching of the Blind and a Lunatic Assylum, be referred to a select committee of three on the part of the Senate, and —— on the part of the House, and filled said blank with the number five;

The Chair appointed as said committee on the part of the House, Messrs. Nailer, Ford, Campbell of Franklin, Catchings, and White.

2nd. *Resolved*, that part of the Governor's Message relating to the 500,000 acres of land, be referred to a joint select committee of five on the part of the Senate, and —— on the part of the House, and have filled said blank with the number fifteen;

The Chair appointed as said committee on the part of the House, Messrs. Brooke, Hamer, Nash, Hinds, Neill, Whitfield, Thomas of Marshall, Brown, Henry, Valentine, Weathersby, Simrall, Carroll, Noble, and Foote of Noxubee.

3rd *Resolved*, that so much of the Governor's Message as relates to the Chickasaw School lands, be referred to a joint select committee of five on the part of the Senate, and —— on the part of the House, and have filled said blank with the number seventeen;

The Chair appointed as said committee on the part of the House, Messrs. Harrington, Dilworth, Phillips, Williams, Fortson, Barden, Cypert, Ray, Foree, Wilson, Byrns, Cushman, Abbott, Steel, Trigg, Powell, and Gatlin.

4th. *Resolved*, (the House concurring,) that a select committee consisting of three on the part of the Senate, and —— on the part of the House, be appointed to draft and bring in a bill calling a convention of this State to frame a new constitution, and have filled said blank with the number seven;

The Chair appointed as said committee on the part of the House, Messrs. Hancock, Hinds, Cushman, Metcalf, Gray, Abbott, and Noble.

MR. PRESIDENT.—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to exempt certain persons from working on public roads in this State.

A bill to be entitled,

An act to provide for the compensation of talis jurors.

A bill to be entitled,

An act to incorporate the town of Delta, in the county of Coahoma.

A bill to be entitled,

An act to incorporate the town of Lexington, in the county of Holmes.

A bill to be entitled,

An act to apportion the bands of the incorporation of the town of Fulton, in the county of Itawamba, on the road leading from Fulton to Pontotoc, and for other purposes.

A bill to be entitled,

An act to incorporate the Macon Female Institute, in the county of Noxubee;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed a Senate bill of the following title:

A bill to be entitled,

An act for the relief of Mary Colbert.

Mr. Lake presented the memorial of sundry members of the bar,

Which was read.

On motion of Mr. Lake,

Said memorial and the accompanying documents were referred to the committee on the judiciary.

Mr. Singleton presented the memorial of James Champlin,

Which was read,

On motion of Mr. Singleton,

Said memorial, together with the accompanying documents were referred to the committee raised on the subjects of the Blind and Lunatic Asylum.

Mr. Ramsay presented the petition of sundry citizens of the county of Hancock,

Which was read.

On motion of Mr. Ramsay,

Said petition, together with the accompanying documents were referred to the committee on the judiciary.

Mr. Beene from a standing committee, made the following report, to-wit:

Mr. President—The standing committee on engrossed bills, have examined bills of the following titles, to-wit:

A bill to be entitled,

An act to attach the county of Claiborne to the second judicial district for the election of the Judges of the High Court of Errors and Appeals.

A bill to be entitled,

An act for the relief of William Isaac Bruner.

A bill to be entitled,

An act for the relief of T. S. Evans;

And have found the same correctly engrossed.

R. O. BEENE, Chairman.

Mr. Guion, from the committee on the judiciary, made the following report,, to-wit:

The standing committee on the judiciary, to whom was referred,

A bill to be entitled,

An act in relation to the probate of deeds, have had the same under consideration, and have instructed me to report the same without amendment, and recommend the passage thereof.

The committee upon examination of the subject, think it at least doubtful whether adequate provision has been made by law for taking the acknowledgment or proofs of mortgages, deeds of trust, and other instruments of writing conveying personal property, and upon a subject of so much importance, think that legislation should be so plain as not to admit of doubtful construction.

On motion of Mr. Guion,

The report was received.

Mr. Guion, from the committee on the judiciary, to whom had been referred,

A bill to be entitled,

An act concerning the pay of talis jurors,

Reported said bill back, and recommended that it be not passed.

On motion of Mr. Guion,

Said report was received and agreed to.

Mr. Guion, from the committee on the judiciary, to whom had been referred,

A bill to be entitled,

An act to amend an act, entitled an act, to amend the several acts of this State, in relation to free negroes and mulattoes,

Reported said bill back, and recommended that it do not pass.

On motion of Guion,

The report was received.

Mr. Guion, from the committee on the judiciary, to whom had been referred, sundry petitions of Archibald Malloy, together with,

A bill to be entitled,

An act for the relief of Archibald Malloy of Covington county,

Reported said bill back without amendment, and recommended its passage.

On motion of Mr. Guion,

The report was received.

Mr. Guion, from the committee on the judiciary, to whom had been referred, the petition of James M. Evans and George O. Wilson; reported,

A bill to be entitled,

An act for the relief of James M. Evans and George O. Wilson of Claiborne county, and recommend its passage.

On motion of Mr. Guion,

The report was received,

And said bill read the first time.

Mr. Guion, from the committee on the judiciary, to whom had been referred so much of the Governor's message as relates to the manner of paying members of the Legislature, judges and other officers of the State,

Reported, that in their opinion, legislative action is unnecessary.

On motion of Mr. Guion,

Said report was received and agreed to.

Mr. Guion, from the committee on the judiciary, to whom had been referred so much of the Governor's message as relates to district attorneys,

Made a report, and accompanied said report with a bill to be entitled,

An act to increase the salaries of the district attorneys; and recommend the passage of said bill.

On motion of Mr. Guion,

Said report was received, and said bill read the first time.

Mr. Guion, from the committee on the judiciary, to whom had been referred so much of the Governor's message as relates to a compilation of the laws and reports of decisions, &c.,

Reported a bill to be entitled,

An act to provide for the purchuse of two hundred and fifty copies of Smedes' Digest, and recommend its passage.

On motion of Mr. Guion,

The report was received,

And said bill read the first time.

Mr. Dabney called for the consideration of a bill to be entitled,

An act in relation to the probate of deeds.

Mr. Davis offered the following amendment to said bill:

Amend by adding the word "chancery" immediately before the word "circuit" in the sixth line, in the first section; and again "chancery" immediately before the word "circuit" in the seventh line, and second section.

The question was had on the adoption of said amendment,

And decided in the affirmative;

And said bill as amended was ordered to be engrossed for a third reading on to-morrow.

The Senate proceeded to the consideration of the orders of the day.

A bill from the House of Representatives, to be entitled,

An act to incorporate Wildey Lodge No. 21, of the Independent Order of Odd Fellows,

Was read the second time,

And ordered to a third reading on to-morrow.

A bill to be entitled,

An act to change the time of holding the probate court of Winston county, and for other purposes,

Was read the second time.

Mr. Dabney offerred the following amendment, to-wit:

Amend by striking out "fourth" before Monday, and inserting "third;"

2d. By striking out "the first day of March next," and inserting "its passage;"

Which was adopted.

Mr. Bradford offered the following amendment, to-wit:

"Sec. . *And be it further enacted*, that the probate court in Pontotoc county shall be held hereafter two days, if business so long require;"

Which was adopted;

And said amendments were ordered to be engrossed for a third reading with said bill on to-morrow.

A bill to be entitled,

An act to incorporate Canton Royal Arch Chapter No. 10, of free and accepted Masons, in the town of Canton, Madison county,

Was read the second time,

And ordered to a third reading on to-morrow.

A bill to be entitled,

An act to incorporate Marshall Lodge No. 25, Independent Order of Odd Fellows, Lamar, Mississippi,

Was read the third time, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate Lexington Royal Arch Chapter No. 9, in the town of Lexington,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to prohibit the circulation of foreign bank notes in this State,

Was read the second time.

On motion of Mr. Sharpe,

Said bill was referred to the committee on banks and currency.

A bill to be entitled,

An act to incorporate Franklin Lodge No. 5, of the Independent Order of Odd Fellows, in Port Gibson, Claiborne county,

Was read the second time.

On motion of Mr. Briscoe,

Said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled,

An act to repeal an act entitled an act to repeal the incorporation of the town of Gallatin, in Copiah county, and for other purposes,

Was read the second time.

On motion of Mr. Catchings,

Said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled,

An act for the relief of T. S. Evans,

Was read the third time and passed:

Ordered, the title thereof be as stated.

Mr. Cannon asked and obtained leave to the introduction of a bill to be entitled,

An act to repeal an act entitled an act to establish in the city of Jackson a vaccine depot and agency for the State, with a view to the prevention of small pox, approved March 2d, 1846;

Which was read the first time.

A bill to be entitled,

An act for the relief of William Isaac Bruner,

Was read the third time and passed:

Ordered, the title thereof be as stated.

A bill to be entitled,

An act to attach the county of Claiborne to the second judicial district, for the election of the judges of the high court of errors and appeals,

Was read the third time and passed:

Ordered, the title thereof be as stated.

Mr. Greer offered the following resolution, to-wit:

Resolved, that one thousand copies of the Inaugural Address of Governor J. W. Matthews, be printed for the use of the Senate:

Which was read and adopted.

Mr. Price, from a select committee, to whom had been referred the petition of Booth, Malone and others,

Reported a bill to be entitled,

An act for the relief of Margaret P. Baskerville;

Which was read the first time.

Mr. Dabney, from a select committee, to whom had been referred the petition of Robert E. Yates and others, citizens and heads of families of township 15, range 18 east,

Reported a bill to be entitled,

An act to repeal an act entitled an act to establish a system of common schools, and for other purposes, as to township 15, range 18 east, situate in Noxubee county;

Which was read the first time.

On motion of Mr. Boone,

Ordered, that Mr. Bradford, the honorable Senator from the county of Pontotoc, be added to the joint committee on State and federal relations.

On motion of Mr. Gray,

The Senate adjourned.

THURSDAY. JANUARY 13TH, 1848.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—I am instructed by the House of Representatives to inform the Senate, that they have passed a bill of the following title:

A bill to be entitled,

An act to incorporate the Mississippi Manufacturing company, and have made an amendment thereto, by way of ryder;

In of which I am instructed to desire the concurrence of the Senate.

The Speaker of the House has signed acts of the following titles, originating in the House:

An act to incorporate Lexington Royal Arch Chapter No. 9, of Free and Accepted Masons;

An act to incorporate Marshall Lodge No. 25, Independent Order of Odd Fellows;

Which I am requested to present to the President of the Senate for his signature.

The House of Representatives have passed a Senate bill of the following title:

A bill to be entitled,

An act to refund to the officers recently engaged in raising a Battallion of Missisippi Rifles, the moneys expended by them for that purpose.

The President signed the bills in said message mentioned.

Mr. Price from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills have examined bills of the following titles, to-wit:

An act to incorporate Lexington Royal Arch Chapter No. 9, of Free and Accepted Masons;

An act for the relief of Mary Colbert;

An act to incorporate Marshall Lodge No. 25, Independent Order of Odd Fellows, Lamar, Miss.;

And have found the same correctly enrolled.

Mr. Labauve from the committee on propositions and grievances, to whom had been referred the petition of Thomas Mabry, made the following report, to-wit:

Mr President—The standing committee on propositions and grievances, to whom was referred the petition of Thomas Mabry, a citizen of Madison county, praying the privilege of hawking and pedling throughout the State without license, have had the same under consideration, and have requested me to report, that while the committee sympathize with the unfortunate petitioner, they are of the opinion that it is impolitic to recommend an innovation of the laws of the State, on the subject of hawkers and pedlars; therefore ask leave to be discharged from the further consideration thereof.

On motion of Mr. Labauve,

Said report was received and agreed to.

Mr. Labauve from the committee on propositions and grievances, made the following report, to-wit:

Mr. President—The standing committee on propositions and grievances, to whom was referred the petition of Joseph Korn, a citizen of Wilkinson county, praying the privilege of hawking and pedling throughout the State without license, have had the same under consideration; and after mature deliberation, are of the opinion, that it is impolitic to grant the privilege asked for by the petitioner; therefore, ask leave to be discharged from the further consideration thereof.

On motion of Mr. Labauve,

Said report was received and agreed to.

Mr. Beene, from a standing committee, made the following report, to-wit:

Mr. President—The standing committee on engrossed bills, have examined bills of the following titles, to-wit:

A bill to be entitled,

An act in relation to the probate of deeds;

A bill to be entitled,

An act to repeal an act entitled an act to repeal the incorporation of the town of Gallatin, in Copiah county, and for other purposes;

A bill to be entitled,

An act to incorporate Franklin Lodge No. 5, of the Independent Order of Odd Fellows, in Port Gibson, Claiborne county;

Also amendments made by the Senate, to a bill from the House of Representatives entitled,

An act to change the time of holding the Probate court of Winston county, and for other purposes;

And have found the same correctly engrossed.

Mr. Dabney asked and obtained leave to the introduction of a bill to be entitled,

An act to refund to the officers recently engaged in raising a battallion of Mississippi rifles, the moneys expended by them for that purpose;

Which was read the first time.

On motion of Mr. Dabney,

The constitutional rule was suspended;

And said bill was read the second time forthwith.

On the further motion of Mr. Dabney,

The rule was further suspended;

And said bill considered as engrossed, and read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. White presented the petition of sundry citizens of a portion of the counties of Issaquena and Washington; which,

On his motion,

Was referred to a select committee of five.

Messrs. White, Singleton, Sharpe, Briscoe and Guion, were appointed said committee.

Mr. Dabney presented the memorial of T. J. Spann and others, citizens of Noxubee county, praying that the slaves of non-residents be taxed higher than the slaves of resident citizens;

Which was read.

On motion of Mr. Dabney,

Said memorial was laid on the table, and the following resolution offered in lieu thereof:

"*Resolved*, (the House concurring,) that a joint select committee of three on the part of the Senate, and on the part of the House, be appointed to take into consideration, and report as to the expediency of taxing the slaves of non-residents higher than the slaves of resident citizens;"

Which was read.

On motion of Mr. Dabney,

The rule was suspended;

And said resolution read the second time, and adopted forthwith.

Messrs. Dabney, Singleton and Cannon, were appointed said committee.

Mr. Hodges asked and obtained leave to the introduction of a bill to be entitled,

An act to change the time of holding the Probate court in the county of Smith;

Which was read the first time.

Mr. Cannon asked and obtained leave to the introduction of a bill to be entitled,

An act supplementary to an act entitled an act to authorize Peter B. Stark to erect a toll bridge, &c.;

Which was read the first time.

Mr. Guion presented the petition of L. V. Dixon;

Which was read; and,

On motion of Mr. Lake,

Referred to the committee on propositions and grievances.

Mr. Sharpe asked and obtained leave to the introduction of a bill to be entitled,

An act to abolish capital punishment in this State;

Which was read the first time.

Mr. Sharpe moved to suspend the constitutional rule, and read said bill the second time forthwith;

Which was lost.

Mr. Ramsay asked and obtained leave to the introduction of a bill to be entitled,

An act giving the consent of this State to the United States, to purchase cites of land for light houses in this State, and for other purposes;

Which was read the first time.

On motion of Mr. Bradford,

The constitutional rule was suspended;

And said bill was read the second time by title.

On the further motion of Mr. Bradford,

Said bill was referred to the committee on State and federal relations.

Mr. Briscoe asked and obtained leave to the introduction of a bill to be entitled,

An act to regulate proceedings in suits at law or in equity, in certain cases;

Which was read the first time.

Mr. Labauve asked and obtained leave to the introduction of a bill to be entitled,

An act concerning the Probate court of De Soto county;

Which was read the first time.

Mr. Johnson asked and obtained leave to the introduction of a bill to be entitled,

An act to amend an act entitled an act to incorporate the Greensboro' Academies, and for other purposes, approved 29th January, 1840;

Which was read the first time.

The Senate proceeded to the consideration of the orders of the day.

A bill from the House of Representatives to be entitled,

An act to incorporate Wildey Lodge No. 21, of the Independent Order of Odd Fellows;

Was read the third time,

And passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to change the time of holding the Probate court of Winston county, and for other purposes;

Was read the third time,

And passed.

On motion of Mr. Bradford,

The title was amended as follows, to-wit:

Amend the title of said bill by erasing "county," after the word "Winston," and in lieu thereof, insert "and Pontotoc counties."

Ordered, that the title thereof be as amended.

A bill to be entitled,

An act to incorporate Canton Royal Arch Chapter No. 10, of Free and Accepted Masons, in the town of Canton, Madison county;

Was read the third time,

And passed.

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to exempt certain persons from working on public roads in this State;

Was read the first time.

A bill to be entitled,

An act to provide for the compensation of talis jurors,

Was read the first time; and,

On motion of Mr. Labauve,

Laid on the table.

A bill to be entitled,

An act to incorporate the town of Delta, in the county of Coahoma;

Was read the first time.

A bill to be entitled,

An act to incorporate the town of Lexington in the county of Holmes;

Was read the first time.

A bill to be entitled,

An act to apportion the hands of the incorporation of the town of Fulton, in the county of Itawamba, on the road leading from Fulton to Pontotoc, and for other purposes;

Was read the first time.

A bill to be entitled,

An act to incorporate the Macon Female Institute, in the county of Noxubee.

Was read the first time.

On motion of Mr. Dabney,

The constitutional rule was suspended;

And said bill was read the second time by title.

On the further motion of Mr. Dabney,

The rule was further suspended;

And said bill read the third time forthwith, and passed.

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act in relation to the Probate of deeds;

Was read the third time,

And passed.

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to repeal an act entitled an act to repeal the incorporation of the town of Gallatin, in Copiah county, and for other purposes;

Was read the third time,

And passed.

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate Franklin Lodge No. 5, of the Independent Order of Odd Fellows, in Port Gibson, Claiborne county;

Was read the third time,

And passed.

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to repeal an act entitled an act to establish a system of common schools, and for other purposes, as to township 15, range 18 east, situated in Noxubee county;

Was read the second time.

On motion of Mr. Labauve,

Said bill was laid on the table.

A bill to be entitled,

An act for the relief of James M. Evans and George O. Wilson, of Claiborne county;

Was read the second time; and,

On motion of Mr. Briscoe,

Said bill was ordered to be engrossed for a third reading on tomorrow.

A bill to be entitled,

An act to repeal an act entitled an act to establish in the city of Jackson, a Vaccine Depot and Agency for the State, with a view to the prevention of Small Pox, approved March 2d, 1846;

Was read the second time.

On motion of Mr. Guion,

Said bill was laid on the table.

A bill to be entitled,

An act to increase the salaries of the District Attornies of the State;

Was read the second time.

Mr. Labauve moved to lay said bill on the table;

Which was lost.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Messrs. Briscoe, Cannon, Greer, Kennedy, Labauve, Pettus, Ramsay and Sharpe—8 votes.

Noes—Mr. President, Messrs. Alcorn, Boone, Beene, Bradford, Carter, Catchings, Davis, Dabney, Gray, Guion, Harrison, Hodges, Johnson, Lake, McDugald, McAffee, Price, Pegues, Stewart, White, and Wilborne—21 votes.

On motion of Mr. Gray,

Said bill was made the special order of the day for to-morrow.

A bill to be entitled,

An act for the relief of Margarett P. Baskerville,

Was read the second time.

On motion of Mr. Price,

Said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled,

An act to provide for the purchase of two hundred and fifty copies of Smedes' Digest,

Was read the second time.

Mr. Labauve moved to strike out, "one thousand dollars" in said bill, and in lieu thereof, insert "seven hundred and fifty dollars,"

Which was lost.

On motion of Mr. Guion,

Said bill was ordered to be engrossed for a third reading on to-morrow.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—I am instructed to inform the Senate that the House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to remove the civil disabilities of Jackson Dardin, a minor, of Jefferson county.

A bill to be entitled,

An act for the relief of John McClellan.

A bill to be entitled,

An act for the relief of the State Hospital of Mississippi, at Matchez.

A bill to be entitled,

An act for the relief of W. P. McKinney.

A bill to be entitled,

An act further to amend the several laws of the State, in relation to courts of probate.

A bill to be entitled,

An act to change the present mode of electing members of boards of police, and for other purposes.

A bill to be entitled,

An act to repeal all laws now in force, authorizing or requiring sheriffs or other officers to take forthcoming bonds.

A bill to be entitled,

An act to provide for the sale of lands purchased by the State at tax sales.

A bill to be entitled,

An act to amend an act, entitled an act, to amend and reduce into one, the several acts in relation to the revenue of this State, and for other purposes; approved March 5th, 1846.

A bill to be entitled,

An act to regulate cases of bastardy in this State.

A bill to be entitled,

An act to increase the fees allowed to the sheriffs as jail fees.

A resolution instructing and directing the Treasurer of the State to receive from the Government of the United States, certain monies therein named.

The House passed bills originating in the Senate, of the following titles;

A bill to be entitled,

An act for the relief of T. S. Evans.

A bill to be entitled,

An act for the relief of Wm. Isaac Bruner.

A bill to be entitled,

An act to attach the county of Claiborne to the second judicial district for the election of the Judges of the High Court of Errors and Appeals.

And have also concurred in the following Senate resolutions:

1st. *Resolved*, (the house concurring,) that a joint select committee of five on the part of the Senate, and —— on the part of the House be appointed, and to that committee be referred all the petitions of the settlers upon the State and School lands; and have filled the blank with the number seven;

The Chair appointed as said committee on the part of the House, Messrs. Nash, Byrns, Dilworth, Ellis, Valentine, Myers, and Williams.

2nd. *Resolved*, that that part of the message relating to the Mexican War be referred to a joint committee to be raised on State and Federal relations, and have appointed on the part of the House, the same committee heretofore raised.

The House of Representatives have passed bills of the following titles:

A bill to be entitled,

Act to incorporate Canton Lodge No. 28, of Free and Accepted Masons in the town of Canton, Madison county.

A bill to be entitled,

An act to amend an act, reducing the fees of certain officers therein named; approved February 10th, 1844, so far as the same relates to the county of Amite.

A bill to be entitled,

An act to repeal an act, entitled an act, to declare Buck Island Bayou in the county of Tunica, a navigable stream; approved Jan. 24th, 1844.

A bill to be entitled,

An act to incorporate the Columbus Trades Union Society.

A bill to be entitled,

An act to incorporate the Vicksburg Baptist Church.

A bill to be entitled,

An act for the relief of John Patterson.

A bill to be entitled,

An act to change the names of Caroline Thomas Smith, Martha Jane Smith, and Robert Benjamin Smith.

A bill to be entitled,

An act to repeal so much of an act as relates to the county of Winston, entitled an act to reduce the per diem allowance of the members of the boards of police, probate judges, and probate clerks of certain counties therein named; approved February 22d, 1846;

And have adopted the following resolution:

Resolved, (the Senate concurring,) that a joint select committee, composed of one member from each of the counties in the 6th and 7th judicial districts, on the part of the House, and —— on the part of the Senate, be appointed to enquire into the re-organization of said districts, and that they have leave to report by bill or otherwise; and have appointed on the part of the House, from the 6th district, Messrs. Houston, Abbott, Harrington, Huie, Cleveland, Foree, Whitmore, and Steele; and from the 7th district, Messrs. Hinds, Arnold, Duke, Thomas of Marshall, Foote of Tippah, Campbell of De Soto, Cushman, and Williams.

In all of which, I am requested to desire the concurrence of the Senate.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

I am instructed by his Excellency the Governor, to inform the Senate he has signed and approved the following bill, to-wit:

An act to incorporate Chickasaw Lodge No. 24, of the Independent Order of Odd Fellows.

Mr. Boone asked and obtained leave to the introduction of,

A bill to be entitled,

An act for the future management of the common school fund in the county of Tishemingo;

Which was read the first time.

Mr. Gray asked and obtained leave to the introduction of,

A bill to be entitled,

An act to authorize the change of venue in certain cases;

Which was read the first time.

Mr. Boone, from a joint select committee, made the following report, to-wit:

Mr. President—The committee to whom was referred, the resolutions inviting Generals Zachary Taylor and John A. Quitman, to visit us during the session, have had the same under consideration, and have instructed me to make the following report:

It is the opinion of the committee, the object would be more effectually attained by appointing a sub-committee of five of our body to visit them in person, and make known to them the desire of the legislature.

On motion of Mr. Boone,

The report was received.

Mr. Boone moved an agreement thereto,

Which was lost.

Mr. Gray asked and obtained leave to the introduction of,

A bill to be entitled,

An act to prolong the time of holding the probate court in Leake county;

Which was read the first time.

Mr. Labauve asked and obtained leave to the introduction of,

A bill to be entitled,

An act to repeal an act, entitled an act, to define more correctly the boundary line between the counties of Tunica and Coahoma;

Which was read the first time.

On motion of Mr. Kennedy,

The Senate adjourned

FRIDAY, January 14th, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Labauve presented the petition of William Halliburton;

Which was read.

On motion of Mr. Labauve,

Said petition, together with the accompanying documents, were referred to the committee on propositions and grievances.

Mr. Price from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled

bills, have examined bills of the following titles, to-wit:

An act to attach the county of Claiborne to the second judicial district, for the election of the judges of the high court of errors and appeals;

An act for the relief of Wm. Isaac Bruner;

An act for the relief of T. S. Evans;

An act to refund to the officers recently engaged in raising a battalion of Mississippi rifles, the moneys expended by them for that purpose;

And have found the same correctly enrolled.

The President signed the bills in said report mentioned.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to amend the attachment laws of this State;

A bill to be entitled,

An act to change the time of holding the circuit courts in the second judicial district of this State, and for other purposes.

The House have adopted the following resolution, to-wit:

Resolved, (the Senate concurring,) that the joint standing committee on the penitentiary, be instructed to enquire into the expediency of leasing or renting out the penitentiary, and that they report by bill or otherwise;

And have passed bills of the following titles:

A bill to be entitled,

An act to extend the terms of the court of probates of the county of Leake;

A bill to incorporate Vicksburg Royal Arch Chapter, No. 3;

A bill to be entitled,

An act to incorporate Columbus Division No. 9, of the Sons of Temperance, in Columbus, Mississippi;

In which I am instructed to desire the concurrence of the Senate.

Mr. Labauve presented the petition of L. D. Perry; which,

On his motion,

Was referred to the committee on propositions and grievances.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills have examined bills of the following titles, to-wit:

A bill to be entitled,

An act for the relief of Margaret P. Baskerville;

A bill to be entitled,

An act for the relief of James W. Evans and George E. Wilson, of Claiborne county;

A bill to be entitled,

An act to provide for the purchase of two hundred and fifty copies of Smedes' Digest;

Also, a joint resolution inviting Genl. Z. Taylor and Genl. John A. Quitman, to visit the Capital of Mississippi during the present session of the Legislature;

And have found the same correctly engrossed.

Mr. Briscoe presented the petition of sundry inhabitants, &c., of the town of Grand Gulf, and accompanied said petition with a bill of the following title, to-wit:

A bill to be entitled,

An act to change and reduce the corporate limits of the town of Grand Gulf, in the county of Claiborne, as prescribed in an act entitled an act to incorporate the town of Grand Gulf, approved the 25th day of December, 1833;

Which was read the first time.

On motion of Mr. Briscoe,

The constitutional rule was suspended,

And said bill was read the second time by title.

On the further motion of Mr. Briscoe,

Said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Kennedy, from the standing committee on finance, to whom had been referred so much of the Governor's message as relates to lands bought in by the State on account of taxes,

Reported a bill to be entitled,

An act to provide for the sale of lands purchased by the State at tax sales;

Which was read the first time.

On motion of Mr. Kennedy.

Said bill was laid on the table, and two hundred copies thereof ordered to be printed.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The Speaker of the House of Representatives has signed bills originating in the Senate, of the following titles:

An act for the relief of Mary Colbert;

An act to refund to the officers recently engaged in raising a battalion of Mississippi rifles, the moneys expended by them for that purpose.

The House of Representatives have concurred in the Senate resolution raising a joint select committee of three on the part of the Senate, and , on the part of the House, to take into consideration and report the expediency of taxing the slaves of non-residents higher than the slaves of resident citizens; and have appointed as said committee, on the part of the House, Messrs. Foote of Noxubee, Abbott, McLaurin, McAffee and Dilworth;

And have passed Senate bills of the following titles:

A bill to be entitled,

An act to repeal an act entitled an act to repeal the incorporation of the town of Gallatin, in Copiah county, and for other purposes;

A bill to be entitled,

An act to incorporate Franklin Lodge No. 5, of the Independent Order of Odd Fellows, in Port Gibson, Claiborne county.

Mr. Briscoe, from the committee on banks and currency, made the following report, to-wit:

Mr. President—The standing committee on banks and currency, to whom was referred the bill to be entitled "an act to suppress the circulation of foreign bank notes in this State," have had the same under consideration, and the majority of the committee are of the opinion that the people of the State demand at of the present Legisiature to enact a law which will prevent the circulation of foreign bank notes in this State, and have instructed me to report said bill without amendment, and recommend its passage.

Mr. Harrison, from the same committee, made the following minority report, to-wit:

Mr. President—The undersigned, of the committee on banks and currency, to whom was referred a bill to be entitled "an act to prohibit the circulation of foreign bank notes in this State," begs leave to report,

That he believes said bill to be radical in its nature, disorganizing in its tendency, and under existing circumstances subversive of the best interests of the country; and as such, the undersigned hopes said bill will not pass;

All of which is respectfully submitted,

On motion of Mr. Labauve,

The first above named report was received.

On motion of Mr. Harrison,

The report of the minority was received.

On motion of Mr. Catchings,

Ordered, that said bill in said report mentioned, together with the several reports, be laid on the table, and two hundred copies of each printed.

Mr. Guion, from the standing committee on the judiciary, to whom had been referred the petition of James McArthur and others, citizens of the county of Hancock, made the following report, to-wit:

Mr. President—The standing committee on the judiciary, to whom was referred the petition of James McArthur and others, praying the repeal of an act of the Legislature of the last session, relinquishing in favor of Carise Mintora Cottingham and Elizabeth Martin, the claim of the State by escheat to the estate of William Alford Cottingham, have had the same under consideration, and have instructed me to report that, in the opinion of the committee, the petitioners have not presented a case which authorizes the interference of the Legislature. If the petitioners have rights as the heirs at law of Amos Lott, the courts of justice are open for their assertion, and the act of the Legislature sought to be repealed, interposes no obstacle to their adjudication. The petitioners have sought relief in an improper form, and their prayer ought not to be granted.

On motion of Mr. Guion,

The report was received and agreed to.

Mr. Guion, from the committee on the judiciary, made the following report, to-wit:

The judiciary committee to whom was referred the memorial recommending the Legislature to take for the use of the State a number of copies of a work entitled, "A Digest of the laws respecting wills, executors, and administrators, and the jurisdiction

and practice of the courts of probate and equity in relation to the estates of decedents," lately published by John M. Chilton, Esq., have had the same under consideration, and beg leave to report:— That they concur with the memorialist in believing that the work evinces great ability and research, and will prove eminently useful not only to the practising lawyer, but to the public officer and the private citizen. The subjects treated in this work are matters of universal interest, and although many of them are involved in obscurity, the patience and learning of the author has succeeded in rescuing them, and presenting them to the public in a most comprehensible form. Indeed the book may be aptly compared to a reservoir into which all the pure streams of learning both near and distant have been brought.

Your committee would most respectfully but earnestly recommend the work to the patronage of the State. They herewith present a bill which they hope will pass to a law.

On motion of Mr. Guion,

The report was received;

And the bill therein reporetd entitled,

An act to provide for the purchase of two hundred copies of Chilton's Probate Court Law and Practice,

Was read the first time.

Mr. Guion, from the standing committee on the judiciary, made the following report, to-wit:

Mr. President—The standing committee on the judiciary to whom was referred a bill to be entitled an act concerning misdemeanors, have had the same under consideration, and have instructed me to report that, in their opinion, said bill ought not to pass. To say nothing of the doubtful question of the constitutionality of the bill, your committee are satisfied of the bad policy of its provisions. It places in the hands of a single justice of the peace power over the person and property of the citizen inconsistent with the spirit of the constitution, if not in direct violation of its provisions. It is calculated to increase instead of diminishing expensive and vexatious prosecutions. It does not discriminate between the most aggravated assault and battery and the slightest assault, but provides the same punishment for both. In short, it is an innovation upon established principles not called for, in the opinion of the committee, by any mischief intended to be avoided.

On motion of Mr. Guion,

Said report, together with the accompanying bill,

Was received.

Mr. Guion, from the standing committee on the judiciary, to whom had been referred a bill to be entitled,

An act requiring clerks to pay postage in certain cases,

Reported a bill of the following title, as a substitute therefor:

A bill to be entitled,

An act providing for the transmission and return by mail of process in certain cases.

On motion of Mr. Guion,

The report was received and agreed to;

And said bill read the first time,

Mr. Dabney, from the standing committee on the judiciary, to whom had been referred a bill to be entitled,

An act to amend an act to reduce into one the several acts concerning executions, and for the relief of insolvent debtors, passed June 22d, 1822,

Reported a bill of the following title, as a substitute therefor, to-wit:

A bill to be entitled,

An act to repeal the forthcoming bond law of this State.

On motion of Mr. Dabney,

The report was received and agreed to;

And said substitute read and ordered to be engrossed for a third reading on to-morrow,

Mr. Guion asked and obtained leave to the introduction of a bill to be entitled,

An act to provide for furnishing to Harvard College, Cambridge, one copy of all the laws, journals, reports, &c., of the State of Mississippi;

Which was read the first time.

Mr. Price asked and obtained leave to the introduction of a bill to be entitled,

An act to appropriate money to the relief of the Mississippi volunteers now in Mexico;

Which was read the first time.

On motion of Mr. Price,

The constitutional rule was suspended,

And said bill was read the second time by title, and ordered to be engrossed for a third reading on to-morrow.

Mr. White, from a select committee to whom had been referred the petition of the citizens of a portion of the counties of Issaquena and Washington,

Reported a bill of the following title, to-wit:

A bill to be entitled,

An act to attach portions of Issaquena and Washington counties to Yazoo county;

Which was read the first time.

On motion of Mr. White,

The constitutional rule was suspended,

And said bill was read the second time by title, and ordered to be engrossed for a third reading on to-morrow.

The following message was received from his Excellency the Governor, through his pvivate Secretary, to-wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate that he has this day approved and signed the following bill, to-wit:

An act entitled an act to refund to the officers recently engaged in raising a battalion of Mississippi rifles, the moneys expended by them for that purpose.

Mr. Alcorn asked and obtained leave to the introduction of a bill to be entitled,

An act authorizing Benjamin F. and Jonathan Morris, of Panola county, to construct a rail road in said county;

Which was read the first time.

On motion of Mr. Alcorn,

The constitutional rule was suspended,

And said bill was read the second time by title.

On motion of Mr. Labauve,

Said bill was committed to the whole house, and made the order of the day for to-morrow.

Mr. McDugald asked and obtained leave to the introduction of a bill to be entitled,

An act to change the time of holding the probate courts in the counties of Clarke and Jasper;

Which was read the first time.

On motion of Mr. McDugald,

The constitutional rule was suspended,

And said bill was read the second time by title, and ordered to be engrossed for a third reading on to-morrow.

Mr. Price asked and obtained leave to the introduction of,

A bill to be entitled,

An act to change the time of holding the court of probates for Tippah county,

Which was read the first time.

Mr. Kennedy, from the standing committee on finance, made the following report, to-wit:

Mr. President—The standing committee on finance, to whom was referred so much of the Governor's Message as relates to the "*increase of taxation*," have according to order, had the same under consideration, and have instructed me to report:

That in the opinion of the committee, they have no authority to act upon the subject, as the Constitution of thn State expressly provides, "that all bills for the raising of revenue," shall first originate in the House of Representatives.

On motion of Mr. Kennedy,

The report was received and agreed to,

Mr. Guion gave notice that he would on to-morrow introduce,

A bill to be entitled,

An act to establish an inferior court of Chancery for the central part of this State.

Mr. Price, from the committee on enrolled bills, made the following report, to wit:

Mr. President—The joint standing committee on enrolled bills have presented to the Governor, the following bills for his signature, to-wit:

An act to refund to the officers recently engaged in raising a Battalion of Mississippi Rifles, the money expended by them for that purpose.

An act to incorporate Lexington Royal Arch Chapter No. 9, of Free and Accepted Masons.

An act to incorporate Lodge No. 25, Independent Order of Odd Fellows, Lamar, Miss.

The Senate proceeded to the consideration of the orders of the day,

A bill to be entitled,

An act to increase the salaries of the District Atorneys of the State,

Was taken up by special order.

On motion,

The Senate resolved itself into committee of the whole on said bill;

And after some time spent therein, the committee rose,

And Mr. Greer reported the following amendment thereto, to-wit:

Amend by striking out the second section, and in lieu thereof, insert the following:

"*Be it further enacted,*" That this act be in force from and after the first day of November, A. D., 1849.

On motion of Mr. Greer.

The report was received.

The question was had on agreeing therto,

And decided in the affirmative.

Mr. Kennedy called for the ayes and noes thereon,

Which are follows, viz:

AYES—Messrs. Alcorn, Boone, Beene, Briscoe, Cannon, Carter, Catchings, Davis, Dabney, Gray, Greer, Guion, Harrison, Hodges, Johnson, Lake, McDugald, McAffee, Price, Pegues, Pettus, Ramsay, Singleton, Stewart, White, and Wilborne—26 votes.

NOES—Mr. President, Messrs. Bradford, Kennedy, Labauve, and Sharpe—5 votes.

Mr. Labauve offered the following amendment, to-wit:

Amend by adding—

"*Be it further enacted*" That all laws now in force giving perquisites to District Attorneys in State cases, be and the same are hereby repealed.

Amend by inserting after the word cases, "and the tax fees allowed them upon convictions of offences,"

Which was lost.

Mr. Labauve moved the indefinite postponement of said bill;

Pending which motion,

On motion of Mr. Gray,

The Senate adjourned.

SATURDAY, JANUARY 15TH, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Labauve, from the committee on propositions and grievances, made the following report, to-wit:

MR. PRESIDENT:—The standing committee on propositions and grievances, to whom was referred, so much of the Governor's Message as relates to the settlers on the State and School lands, have had the same under consideration, and have instructed me to report, that in view of the numerous memorials to Congress, which from time to time have emanated from the legislature of this State, in behalf of the settlers on the public lands, urging the principle which recognizes their claim to the pre-emptive right at the minimum price, the legislature cannot disregard the claims of her own citizens, now made the stronger by their changed relations without a violation of an acknowledged principle, and the disappointment of a just expectation in consideration of which, many of the settlers were induced to relinquish their claims upon the general government. The committee, therefore, recommend that in any law that may be enacted by the legislature for the disposal of those lands, a provision be incorporated, granting to every settler who was at the time of making their location, a *bona fide* occupant and cultivator of the soil, the right of pre-emption at $1 25 per acre;

All of which is respectfully submitted,

Mr. Labauve moved to receive and agree to said report.

Mr. Gray called for a division of the question,

Which was had, first upon the reception of said report;

And decided in the affirmative.

On motion of Mr. Guion,

Said report was laid on the table.

Mr. Boone, from the joint committee on Federal and State relations, to whom had been referred, a bill granting the right of jurisdiction over a certain lot of ground for the building of a light-house on the Mexican Gulf,

Reported a bill of the following title, and recommend the passage thereof:

A bill to be entitled,

An act to relinquish to the United States, jurisdiction over a lot of ground as a site for the erection of Biloxi light-house;

Which was read the first time.

On motion of Mr. Boone.

The report was received and agreed to.

On motion of Mr. Boone,

The constitutional rule was suspended,

And said bill read the second time forthwith,

And ordered to be engrossed for a third reading on Monday next.

Mr. Boone, from the committee on claims, to whom had been referred the claim of Shields L. Hussey, reported:

A bill to be entitled,

An act for the relief of Shields L. Hussey of Lauderdale county, and recommend the passage of said bill,

On motion of Mr. Boone,

Said report was received and agreed to;

And said bill read the first time,

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—I am instructed to inform the Senate, that the House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to amend an act, entitled an act, to incorporate the town of Rodney, and for other purposes; approved Sept. 10th, 1844.

A bill to be entitled,

An act to incorporate the German Benevolent Society of Natchez.

A bill to be entitled,

An act to appropriate a portion of the Yazoo City Hospital fund to educational purposes.

A bill to be entitled,

An act to change the time of holding the probate court of Coahoma county.

A bill to be entitled,

An act to authorize the judge of the probate court of Marion county, to hold the terms of his court in the probate clerk's office of said county.

A bill to be entitled,

An act to authorize the members of the board of police of Issaquena county, to remove the county seat of said county.

A bill to be entitled,

An act to change the time of holding the circuit courts in the second judicial district of this State, and for other purposes.

A bill to be entitled,

An act to incorporate the "Hebrew Ketusha," a benevolent society of the city of Natchez.

A bill to be entitled,

An act to incorporate Covenant Lodge No, 20, of the Independent Order of Odd Fellows.

A bill to be entitled,

An act to incorporate Scott Lodge No. 80, of Free and Accepted Masons.

A bill to be entitled,

An act to incorporate the Camden Lodge No. 74, of Free and Accepted Masons, in the county of Madison.

A bill to be entitled,

An act for the relief of John McClelland

And have adopted the following resolutions:

Resolved, (the Senate concurring,) that so much of the Governor's Message as relates to the printing of an additional number of the acts of the legislature and the journals of the two houses; be referred to a joint select committee of five on the part of the House, and —— on the part of Senate, with instructions to report by bill or otherwise, as early as practicable; and have appointed as said committee on the part of the House, Messrs. Connell, Wooldridge, Carroll, Thames, and Collier.

Resolved, (with the concurrence of the Senate,) that the Librarian be directed to furnish the Auditor of Public Accounts, for the use of his office, one copy of the acts of the legislaure for each session, from 1840 to 1846, both years inclusive, and also one copy of Howard and Hutchinson's digest.

In all of which I am instructed to desire the concurrence of the Senate.

The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act for the relief of John Dean.

A bill to be entitled,

An act for the relief of John Moore.

A bill to be entitled,

An act granting John Y. Newman of Bolivar county, ferry privileges across the Mississippi river.

A bill to be entitled,

An act to regulate appeals and writs of error from judgments in cases of habeas corpus.

Resolutions to the Congress of the United States, to change the terms of the act granting to this State certain townships of land for the purpose of the endowment of a Seminary of learning.

The House of Representatives have passed bills originating in the Senate, of the following titles;

A bill to be entitled,

An act to extend the time of holding the probate court of Monroe county.

A bill to be entitled,

An act to change the time of holding the probate court of Hinds county.

A bill to be entitled,

An act to incorporate Macon Royal Arch Chapter No. 11.

A bill to be entitled,

An act to change the time holding the probate court of Amite county.

A bill to be entitled,

An act to extend the time of holding the probate court in the county of Copiah.

A bill to be entitled,

An act to extend the time of holding the probate court of Warren county.

The Speaker of the House has signed the following bills originating in the Senate:

A bill to be entitled,

An act to attach the county of Claiborne to the second judicial district for the election of the Judges of the High Court of Errors and Appeals.

An act for the relief of William Isaac Bruner.

Mr. Briscoe presented the petition of Henry S. Caulking, and accompanied said petition with,

A bill to be entitled,

An act to authorize Henry S. Caulking, his heirs or assigns, to

establish and keep a ferry across the Mississippi river at Rodney,
Which was read the first time.

On motion of Mr. Briscoe,

The constitutional rule was suspended;

And said bill read a second time by title.

On the further motion of Mr. Briscoe,

The bill and petition were referred to the committee on the judiciary.

Mr. McAfee called for the consideration of,

A bill to be entitled,

An act for the relief of Archibald Milloy of Covington county,

Which was read.

On motion of Mr. McAfee

Said bill was ordered to be engrorsed for a third reading on Monday next.

Mr. Lake presented the memorial of Joseph D. Foster,

Which was read; and,

On motion of Mr. Lake,

Was referred to the committee on the judiciary.

Mr. Greer, from the standing committee on the Penitentiary, made the following report, to-wit:

Mr. President—The joint standing committee on the Penitentiary, have instructed me to make the following report:

The committee have given the officers of the Penitentiary such examination as in their judgment its importance required, and are of opinion that some changes are necessary in the management of the institution. As at present conducted, there is a large quantity of manufactured articles which have been on hand for a considerable length of time; these articles are handed over from one Superintendent to another at such high prices that they cannot be sold; and the result is that they remain on hand for a long time as dead capital; to obviate this difficulty, the committee are of opinion that it would be to the true policy of the State to give the Inspectors the power to appoint three appraisers, whose duty it shall be to appraise all the articles that may be made in the Penetentiary at the end of each year, and put them at such prices as they would sell for, so that the articles may be sold and turned into money; as at present conducted, the reports of the Inspectors and Superintendent show a gain in the affairs of the Institution, but at the same

time, by an examination of the reports, we find that in the year 1846, they drew from the State Treasury $8,573 73, and the year 1847, they drew from the Treasury $6,389 48; the committee are of opinion that the State Treasury ought not to be burthened with keeping up this Institution if it can be avoided; especially when the report of its managers shows so large an amount of stock and tools and manufactured articles on hand as $26,603 63; the prices of these articles should be fixed at a cash valuation, so that they could at any moment be converted into money.

Your committee are of opinion that the interest of the Institution requires the erection of a suitable store house without the walls of the Penitentiary for the disposition of such articles as are made for sale in the prison.

Your committee are of opinion that the manufacturing of coarse cotton and woolen cloths should be continued, believing that the experiment will ultimately prove successful.

And with a view to give the experiment a full and fair trial, the committee recommend the appropriation of one thousand dollars, for the purchase of power looms to enable the Superintendent to make up the yarn into cloth as fast as it is spun.

To carry out the views of the committee, they report the accompanying bill, and recommend its passage.

All of which is respectfully submitted.

The bill therein reported entitled,

An act to amend an act entitled an act to amend the penitentiary code of this State, and for other purposes,

Was read the first time.

On motion of Mr. Greer,

The report was received.

On motion of Mr. Boone,

Said report was laid on the table.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The Speaker of the House of Representatives has signed bills originating in the House, of the following titles:

A bill to be entitled,

An act to incorporate Canton Royal Arch Chapter No. 10, of free and accepted Masons, in the town of Canton, Madison county;

A bill to be entitled,

An act to incorporate the Macon Female Institute, in Noxubee county;

A bill to be entitled,

An act to incorporate Wildey Lodge No. 21, of the Independent Order of Odd Fellows;

A bill to be entitled,

An act to change the time of holding the probate court of Winston and Pontotoc counties, and for other purposes;

Which I am requested to present to the President of the Senate for his signature.

The President signed the bills in said message mentioned.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills have examined bills of the following titles, to-wit:

A bill to be entitled,

An act to change and reduce the corporate limits of the town of Grand Gulf, in the county of Claiborne, as prescribed in an act entitled an act to incorporate the town of Grand Gulf, approved 25th December, 1833;

A bill to be entitled,

An act to appropriate money for the relief of the Mississippi volunteers now in Mexico;

A bill to be entitled,

An act to change the time of holding the probate courts in the counties of Clark and Jasper;

A bill to be entitled,

An act to repeal the forthcoming bond law of this State;

A bill to be entitled,

An act to attach portions of Issaquena and Washington counties to Yazoo county;

And have found them correctly engrossed.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills have this day examined bills of the following titles:

An act to incorporate Wildey Lodge No. 21, of the Independent Order of Odd Fellows;

An act to change the time of holding the probate court of Winston and Pontotoc counties, and for other purposes;

An act to incorporate the Macon Female Institute, in the county of Noxubee;

An act to incorporate Canton Royal Arch Chapter No. 10, of free and accepted Masons, in the town of Canton, in Madison county;

An act to repeal an act entitled an act to repeal the incorporation of the town of Gallatin, in Copiah county, and for other purposes;

And have found the same correctly enrolled.

The Senate proceeded to the consideration of the orders of the day.

The bill to be entitled,

An act to increase the salaries of the district attorneys of the State,

Was before the Senate, on the motion entered on yesterday to indefinitely postpone said bill:

The question being had thereon,

It was decided in the negative.

Mr. Kennedy called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Briscoe, Greer, Kennedy, Labauve and Ramsay—5 votes.

NOES—Mr. President, Messrs. Alcorn, Boone, Beene, Bradford, Cannon, Carter, Catchings, Davis, Dabney, Gray, Guion, Harrison, Hodges, Lake, McDougald, McAffee, Price, Pegues, Pettus, Singleton, Stewart, White and Wilborne—24 votes.

Mr. Guion offered the following amendment to said bill, to-wit:

Strike out the second section, and insert in lieu thereof—

Be it further enacted, that all acts and parts of acts allowing district attorneys tax fees for convictions, be and they are hereby repealed; and this act shall take effect and be in force from and after its passage;

Which was lost.

Mr. Gray offered the following, as a substitute for said bill, to-wit:

Strike out all after the enacting clause, and insert the following—

That in addition to the compensation now provided by law, the district attorneys of the several districts in this State shall, upon conviction of any criminal, upon which conviction no tax fee is now

allowed by law, be entitled to a tax fee of ten dollars, to be taxed in the bill of cost; and upon all convictions for misdemeanors, where no tax fee is now allowed by law, shall be entitled to a tax fee of five dollars, to be likewise taxed in the bill of cost; which said tax fees shall be paid by the defendants in all such convictions for crimes or misdemeanors.

Sec. 2. *Be it further enacted*, that it shall not be lawful for any person or persons convicted of any crime or misdemeanor, to relieve themselves from the fine imposed by the court, upon conviction and the costs accruing upon such conviction, by taking the benefit of the act for the relief of insolvent debtors, until after twenty days notice of his, her, or their intention so to do; which said notice shall be served upon the district attorney of the district in which such conviction shall be had, or published twice in some newspaper in this State.

Sec. 3. *Be it further enacted*, that this act shall take effect and be in force from and after the first day of November, A. D. 1849.

The question was first had on striking out,

And decided in the affirmative;

And said substitute adopted.

Mr. Guion offered the following amendment to the substitute, to-wit:

Amend by inserting after the word "State," in the 6th line, "shall receive in addition to their present salary, two hundred and fifty dollars," and strike out the remainder of said section;

Which was lost.

Mr. Alcorn offered the following amendment, to-wit:

Amend by striking out all that part of the second section which relates to changing the law now in force in relation to insolvent debtors;

Which was lost.

Mr. Price offered the following amendment, viz:

Amend by striking out all that portion of the bill which requires notice to be served upon the district attorney, and strike out "twenty days" and insert "ten;"

Which was adopted.

On motion of Mr. Labauve,

Ordered, that said substitute as amended, be engrossed for a third reading on Monday next.

A bill to be entitled,

An act to exempt certain persons from working on public roads in this State,

Was read the second time.

A bill to be entitled,

An act to incorporate the town of Delta, in the county of Coahoma,

Was read the second time.

A bill to be entitled,

An act to incorporate the town of Lexington, in the county of Holmes,

Was read the second time.

A bill to be entitled,

An act to apportion the hands of the incorporation of the town of Fulton, in the county of Itawamba, on the road leading from Fulton to Pontotoc, and for other purposes,

Was read the second time.

A bill to be entitled,

An act to amend an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as the same relates to the county of Amite,

Was read the first time.

On motion of Mr. Davis,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Davis,

The rule was further suspended;

And said bill was read the third time forthwith, and passed.

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to change the name of Caroline Thomas Smith, Martha Jane Smith, and Robert Benjamin Smith;

Was read the first time.

A bill to be entitled,

An act to repeal so much of an act, as relates to the county of Winston, entitled "an act to reduce the per diem allowance of the members of the board of police, Probate Judges, and Probate Clerks, of certain counties therein named, approved February 23d, 1846;"

Was read the first time.

On motion of Mr. Gray,

The constitutional rule was suspended;

And said bill read the second time forthwith by title.

On the further motion of Mr. Gray,

The rule was further suspended;

And said bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of John Patterson;

Was read the first time.

A bill to be entitled,

An act to incorporate the Vicksburg Baptist Church;

Was read the first time.

On motion of Mr. Harrison,

The constitutional rule was suspended;

And said bill was read the second time forthwith, by title.

On the further motion of Mr. Harrison,

The rule was further suspended;

And said bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate the Columbus Trade's Union Society;

Was read the first time.

A bill to be entitled,

An act to repeal an act entitled an act to declare Buck Island Bayou, in the county of Tunica, a navigable stream, approved January 24, 1844;

Was read the first time.

On motion of Mr. Labauve,

The consitutional rule was suspended;

And said bill was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

The rule was further suspended;

And said bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate Canton Lodge No. 28, of Free and Accepted Masons, in the town of Canton, Madison county;

Was read the first time.

A bill to be entitled,

An act to incorporate the Mississippi Manufacturing Company;

Was read the first time.

On motion of Mr. Gray,

The constitutional rule was suspended;

And said bill read the second time by title.

On the further motion of Mr. Gray,

The rule was further suspended;

And said bill read the third time forthwith, and passed.

Ordered, that the title thereof be as stated:

A bill to be entitled,

An act for the relief of James M. Evans and George O. Wilson, of Claiborne county;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of Margaret P. Baskerville;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to provide for the purchase of two hundred and fifty copies of Smedes' Digest;

Was read the third time, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act supplementary to an act entitled an act, to authorize Peter B. Starke to erect a toll bridge, &c.,

Was read the second time.

On motion of Mr. Cannon,

Said bill was ordered to be engrossed for a third reading on Monday next.

A bill to be entitled,

An act to change the time of holding the Probate court in the county of Smith;

Was read the second time.

On motion of Mr. Kennedy,

Said bill was ordered to be engrossed for a third reading on Monday next.

A bill to be entitled,

An act to abolish capital punishments in this State;

Was read the second time.

On motion of Mr. White,

Said bill was referred to the committee on the judiciary.

A bill to be entitled,

An act to regulate proceedings in suits at law or in equity, in certain cases;

Was read the second time.

On motion of Mr. Briscoe,

Said bill was laid on the table;

And two hundred copies of said bill ordered to be printed.

A bill to be entitled,

An act concerning the Probate court of De Soto county;

Was read the second time.

On motion of Mr. Labauve,

The constitutional rule was suspended;

And said bill was considered as engrossed, and read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to prolong the time of holding the Probate court in Leake county;

Was read the second time.

On motion of Mr. Gray,

Said bill was laid on the table.

A bill to be entitled,

An act to authorize a change of venue in certain cases;

Was read the second time.

On motion of Mr. Gray,

Said bill was referred to the committee on the judiciary.

A bill to be entitled,

An act to repeal an act entitled an act to define more correctly the boundary line between the counties of Tunica and Coahoma;

Was read the second time.

On motion of Mr. Alcorn,

Said bill was referred to a select committee of three.

Messrs. Alcorn, Labauve and Greer, were appointed said committee.

A bill to be entitled,

An act to amend an act to incorporate the Greensboro' Academies, and for other purposes;

Was read the second time.

On motion of Mr. Boone,

Said bill was ordered to be engrossed for a third reading on Monday next.

A bill to be entitled,

An act to provide for the future management of the common school fund in the county of Tishemingo;

Was read the second time.

Mr. Boone moved to suspend the rule, and consider said bill as engrossed, and read the same the third time forthwith;

Which was lost.

On motion of Mr. Boone,

Said bill was ordered to be engrossed for a third reading on Monday next.

A bill to be entitled,

An act to incorporate Columbus division No. 9 of the Sons of Temperance, in Columbus, Mississippi;

Was read the first time.

A bill to be entitled,

An act to extend the terms of the court of Probate of the county of Leake;

Which was read the first time.

On motion of Mr. Gray,

The constitutional rule was suspended;

And said bill was read the second time.

On motion of Mr. Gray,

The rule was further suspended;

And said bill was read the third time forthwith, and passed.

Ordered, that the title thereof be as stated.

Mr. Alcorn moved an adjournment;

Which was lost.

A bill to be entitled,

An act to incorporate Vicksburg Royal Arch Chapter No. 3;

Was read the first time; and,

Mr. Kennedy moved an adjournment;

Which was lost.

On motion of Mr. Alcorn,

The Senate resolved itself into committee of the whole on a bill to be entitled,

An act authorizing Benjamin F., and Jonathan Morris of Panola county, to construct a rail road in said county;

And after some time spent therein, the committee rose; and,

Mr. Dabney reported said bill with the following amendment, to-wit:

"8th line, after the word pass, and may use any timber necesary for the construction of said road;"

On motion of Mr. Dabney,

The report was received and agreed to.

On motion of Mr. Alcorn,

Said bill as amended, was ordered to be engrossed for a third reading on Monday next.

A bill to be entitled,

An act to provide for the purchase of two hundred copies of Chilton's Probate court Law and Practice;

Was read the second time.

Mr. Labauve moved to lay said bill on the table;

Pending which motion,

On motion of Mr. Briscoe,

The Senate adjourned.

MONDAY, JANUARY 17th, 1848.

The Senate met pursuant to adjournment.

The Journal of Saturday was read.

Mr. Lake, from the judiciary committee, made the following report, to-wit:

The standing committee on the judiciary, to whom was referred the petition of Joseph D. Foster, have had the same under consideration, and have instructed me to report a bill in accordance therewith. In coming to this conclusion, the committee have not been unmindful of the forcible objections that have been heretofore made to similar petitions, but are of opinion that the circumstances of this case except it from the general rule of opposition. It appears to your committee that although the petitioner is entitled to a

considerable fortune in this State, that for the want of a guardian to take charge of it and make settlements for him, that he is not only deprived of the necessary means of support, but is in great danger of losing his estate; his father died in 1832, having first appointed Joseph Dunbar of Jefferson county, executor of his will, and guardian of the petitioner under the provisions of the will; the executor converted the estate into money, which as guardian of the petitioner, he placed at interest, and applied to his maintainance and support as much as was necessary for that purpose. In 1846, the said Joseph Dunbar died and his widow administered on his estate; as administratrix she holds in her hands a large sum of money belonging to the petitioner, which she is unwilling to incur the hazzard of lending out, and cannot for the want of authority pay to him even as much as is necessary for his support. The committee are informed that the petitioner is over nineteen years of age, and is unable to prevail upon any one in this State to undertake his guardianship for the remainder of his minority, and that he is discreet beyond his years; under these circumstances, the committee regarding him as being without relief from either of the other departments of the government, have felt impelled by duty to recommend the passage of the following bill:

The bill therein reported,

Entitled an act for the relief of Joseph D. Foster,

Was read the first time.

On motion of Mr. Boone,

Mr. Johnson, the honorable Senator from Choctaw, and Mr. Sharpe, the honorable Senator from Holmes, had leave of absence granted them until Wednesday next.

Mr. Guion, from the committee on the judiciary, to whom had been referred, a bill to be entitled,

An act to authorize the change of venue in certain cases;

Reported said bill back without amendment,

And recomend its passage.

On motion of Mr. Guion, the report was received.

On motion of Mr. Gray,

Said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have examined bills of the following titles, to-wit:

An act to change the times of holding the probate court in the county of Copiah, in this State.

An act to incorporate Franklin Lodge No. 5, of the Independent Order of Odd Fellows, in Port Gibson, Claiborne county.

An act to extend the time of holding the probate court in the county of Warren.

An act to change the time of holding the probate court of Amite county.

An act to extend the time of holding the probate court of Monroe county.

An act to change the time of holding the probate court of Hinds county.

An act to incorporate Macon Royal Arch Chapter No. 11, of Free and Accepted Masons:

And have found the same correctly enrolled.

Mr. Price from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have presented for the signature of the Governor, bills of the following titles, to-wit:

An act for the relief of T. S. Evans.

An act for the relief of Mary Colbert.

An act for the relief of William Isaac Bruner.

An act to attach the county of Claiborne to the second judicial district for the election of the judges of the high court of errors and appeals.

Mr. Beene, from a standing committee, made the following report, to-wit:

MR. PRESIDENT—The standing committee on engrossed bills, have examined bills of the following titles, to-wit:

A bill to be entitled,

An act to authorize Benjamin F. and Jonathan Morris of Panola county, to construct a railroad in said county.

A bill to be entitled,

An act for the future management of the common school fund in the county of Tishemingo.

A bill to be entitled, an act to incorporate the Greensboro Academy, and for other purposes.

A bill to be entitled,

An act for the relief of Archibald Milloy of Covington county.

A bill to be entitled,

An act to relinquish to the United States, jurisdiction of a lot of ground as a site for the erection of Biloxi light-house.

A bill to be entitled,

An act to change the time of holding the probate court in the county of Smith.

A bill to be entitled,

An act supplemental to an act to authorize Peter B. Starke, to erect a toll bridge, &c.

A bill to be entitled,

An act to increase the salaries of the district attorneys of the State;

And have found the same correctly engrossed.

Mr. Price called for the consideration of a bill,

Entitled an act,

To appropriate money for the relief of the Mississippi volunteers now in Mexico;

Which was read the third time.

Mr. Lake offered the following amendment by way of ryder, to-wit:

"SECTION 5. *Be it further enacted*, that the said Barksdale, before receiving the said sum of three thousand dollars, enter into bond with security to the Governor, that he will expend the said money in the purchase of the necessary clothing for the use of the said regiment, and to distribute the same equally amongst the privates and non-commissioned officers thereof;"

Which was read and adopted,

And said bill with its ryder passed:

Ordered, the title thereof be as stated.

Mr. Guion offered the following resolution, to-wit:

Resolved by the Senate, that the House of Representatives be respectfully requested to inform the Senate by message, what has been the action of the House on the report of the joint committee raised to invite Generals Taylor and Quitman, to visit the Capitol, as the guests of the State;

Which was read and adopted.

The following message was received from the House of Representatives through their Clerk, to-wit:

Mr. President—The Speaker of the House of Representatives has signed,

An act to change the time of holding the probate court of Amite county.

An act to extend the time of holding the probate court of Monroe county.

An act to extend the time of holding the probate court of the county of Warren.

An act to change the time of holding the probate court of Hinds county.

An act to incorporate Franklin Lodge No. 5, of the Independent Order of Odd Fellows, in Port Gibson, Claiborne county.

An act to change the time of holding the probate court of the county of Copiah.

An act to incorporate Macon Royal Arch Chapter No. 11, of Free and Accepted Masons;

Which I am instructed to present to the Senate for the signature of the President.

The President signed the bills in said message mentioned.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act to provide for the purchase of two hundred copies of Chilton's probate court law and practice, was before the Senate on the motion entered on Saturday last, to lay the same on the table.

The question being taken thereon,

It was decided in the negative;

And said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled,

An act to exempt certain persons from working on public roads in this State,

Was read the the third time.

On motion of Mr. Labauve,

Said bill was laid on the table.

A bill to be entitled,

An act to incorporate the town of Delta, in the county of Conhoma,

Was read the third time.

On motion of Mr. Alcorn,

Said bill was laid on the table.

The following message was received from the House of Representatives, through Mr. Russell their clerk, to-wit:

Mr. President—I am instructed to inform the Senate that the House of Representatives have agreed to the report of the joint select committee raised by the two houses for the purpose of inviting Generals Taylor and Quitman, to visit the Capital during the present session, which is herewith submitted for the agreement of the Senate.

The report is as follows, to-wit:

Mr. Speaker—The joint select committee on the part of the House, who were appointed to communicate with Major General Zachary Taylor and Major General John A. Quitman, and invite them to the Capitol during the present session of the legislature, as distinguished guests of the State, beg leave to report that upon consultation they have determined that the most effectual way of accomplishing the objects for which they were appointed, is to wait on those two distinguished individuals in person, and inform them of the desire of the legislature, and for that purpose have selected a portion of their number to perform that duty so soon as practicable.

Mr. Greer offered the following amendment to said report, to-wit:

Resolved, that the joint committee of the two Houses, be appointed to invite Generals Taylor and Quitman to visit the city of Jackson during the session of the Legislature, be instructed to do the same by letter;

Which was lost.

On motion of Mr. Guion,

Said report, to the House of Representatives was concurred in.

A bill to be entitled,

An act to incorporate the town of Lexington, in the county of Holmes;

Was read the third time, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to apportion the bands of the incorporation of the town of Fulton, in the county of Itawamba, on the road leading from Fulton to Pontotoc, and for other purposes;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT.—I am instructed to inform the Senate, that the House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to amend the limitation laws of this State;

A bill to be entitled,

An act to incorporate the town of Danville, in the county of Tishemingo;

A bill to be entitled,

An act declaring the Yallobusha River a navigable stream;

A bill to be entitled,

An act to amend an act entitled an act to incorporate the Canton and Jackson Rail Road Company;

A bill to be entitled,

An act to repeal an act entitled an act to exempt from sale under execution certain property therein mentioned, approved January 22d, 1841;

A bill to be entitled,

An act to incorporate the Holly Springs Rail Road Company;

A resolution relative to the administration of James K. Polk.

The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act for the benefit of John Moore;

A bill to be entitled,

An act for the relief of John Dean;

A bill to be entitled,

An act for the relief of Cornelius O'Sullivan;

In which I am requested to desire the concurrence of the Senate.

A bill to be entitled,

An act to change the names of Caroline Thomas Smith, Martha Jane Smith, and Robert Benjamin Smith;

Was read the second time.

On motion of Mr. Cannon,

The constitutional rule was suspended;

And said bill was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate the Columbus Trades' Union society;

Was read the second time.

A bill to be entitled,

An act to incorporate Canton Lodge No. 28, of Free and Accepted Masons, in the town of Canton, Madison county;

Was read the second time.

A bill to be entitled,

An act for the relief of John Patterson;

Was read the second time.

A bill to be entitled,

An act to incorporate Columbus division No. 9, of the Sons of Temperance, in Columbus, Mississippi;

Was read the second time.

A bill to be entitled,

An act to incorporate Vicksburg Royal Arch Chapter No. 3;

Was read the second time.

A bill to be entitled,

An act for the relief of John McClellan;

Was read the first time.

A bill to be entitled,

An act to incorporate Canton Lodge No. 74, of Free and Accepted Masons, in the county of Madison;

Was read the first time.

A bill to be entitled,

An act to incorporate Scott Lodge No. 80, of Free and Accepted Masons;

Was read the first time.

A bill to be entitled,

An act to incorporate "Hebrew Ketusha," a benevolent society in the city of Natchez;

Was read the first time.

A bill to be entitled,

An act to incorporate Covenant Lodge No. 20, of the Independent Order of Odd Fellows;

Was read the first time.

A bill to be entitled,

An act to change the time of holding the Circuit Courts in the second judicial district of this State;

Was read the first time.

A bill to be entitled,

An act to authorize the members of the board of police of Issaquena county, to remove the county seat of said county;

Was read the first time.

On motion of Mr. White,

The constitutional rule was suspended,

And said bill was read the second time forthwith.

On the further motion of Mr. White,

The rule was further suspended;

And said bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to authorize the Judge of the Probate court of Marion county, to hold the terms of his court in the Probate Clerk's office of said county;

Was read the first time.

A bill to be entitled,

An act to appropriate a portion of the Yazoo City hospital fund to educational purposes;

Was read the first time.

A bill to be entitled,

An act to change the time of holding the probate court of Coahoma county;

Was read the first time.

A bill to be entitled,

An act to incorporate the German Benevolent Society of Natchez;

Was read the first time.

A bill to be entitled,

An act to amend an act entitled an act to incorporate the town of Rodney, and for other purposes, approved February 10th, 1844;

Was read the first time.

A bill to be entitled,

An act supplemental to an act entitled an act to authorize Peter B. Starke to erect a toll bridge, &c.;

Was read the third time;

Put on its final passage and lost.

A bill to be entitled,

An act to change the time of holding the probate court in the county of Smith;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

The following message was received from his Excellency the Governor, through his private secretary, to-wit:

Mr. President—I am instructed by his Excellency, the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act for the relief of William Isaac Bruner;

Also, an act for the relief of T. S. Evans;

Also, an act to attach the county of Claiborne to the second judicial district, for the election of the Judges of the High Court of Errors and Appeals;

Also, an act for the relief of Mary Colbert.

Approved January 17th, A. D., 1848.

A bill to be entitled,

An act to amend an act to incorporate the Greensboro' Academies, and for other purposes;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to provide for the future management of the common school fund in the county of Tishemingo;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act authorizing Benjamin F. and Jonathan Morris of Panola county, to construct a Rail Road in said county;

Was read the third time.

Mr. Labauve offered the following amendment by way of ryder, to-wit:

Sec. . *Be it further enacted*, that this act may be altered, amended or repealed, at the pleasure of the Legislature, with or without the consent of the corporation;

Which was read and adopted;

And said bill with its rider, put on its final passage and passed.

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to provide for furnishing the Havard College, Cambridge, one copy of the Laws, Journals, Reports, &c., of the State of Mississippi;

Was read the second time.

Mr. Catchings moved the indefinite postponement of said bill;

Which was lost.

On motion of Mr. Guion,

Said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled,

An act to repeal the forthcoming bond law,

Was read the third time.

Mr. Gray moved the recommitment of said bill to the committee on the judiciary;

Pending which motion;

On motion of Mr. Harrison,

The Senate adjourned.

TUESDAY, JANUARY 18TH, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Briscoe presented the petition of John H. Dale, executor of the last will and testament of Blount W. Parr, and accompanied said petition with a transcript of the last will and testament of B. W. Parr.

On motion of Mr. Briscoe,

Said petition and transcript were referred to the committee on the judiciary.

The President in his chair,

Presented to the Senate, for its consideration, the resolutions which were adopted by the National Medical Convention, held at Philadelphia, in the month of May last;

Which were read; and,

On motion of Mr. Wilborne,

Said resolutions were referred to a select committee of three.

Messrs. Wilborne, Sharpe and Lake, were appointed said committee.

Mr. Pettus, in accordance with previous notice, introduced a bill to be entitled,

An act to impose a penalty on justices of the peace for violating the law in regard to their jurisdiction;

Which was read the first time.

On motion of Mr. Pettus,

The constitutional rule was suspended;

And said bill read the second time forthwith by title.

On the further motion of Mr. Pettus,

Said bill was referred to the committee on the judiciary.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The Speaker of the House of Representatives did on this day sign,

An act to amend an act reducing the fees of certain officers therein named, approved February 10, 1844, so far as relates to the county of Amite;

An act to extend the terms of the court of Probate of the county of Leake;

An act incorporating the Vicksburg Baptist Church;

An act to repeal an act entitled an act to declare Buck Island Bayou, in the county of Tunica, a navigable stream, approved January 24th, 1844;

An act to repeal so much of an act as relates to the county of Winston, entitled an act to reduce the per diem allowance of the members of the board of police, Probate Judges and Probate Clerks, of certain counties therein named, approved February 23d, 1846;

An act to incorporate the Mississippi Manufacturing Company;

Which I am directed to present to the Senate for the signature of the President.

They have also adopted the following joint resolution:

Resolved, (with the concurrence of the Senate), that both Houses of the Legislature convene in the Representatives' Hall on Wednesday next, at 11 o'clock, for the purpose of electing a Superintendent, Assistant Keeper and Clerk of the Penitentiary, for the term of two years;

In which I am instructed to desire the concurrence of the Senate.

The President signed the bills in the above message mentioned.

Mr. Boone, from the joint select committee, to whom had been referred a resolution requiring of said committee to draft and bring in a bill providing for the call of a convention of this State, to form a new constitution, reported a bill of the following title, and recommend its passage:

A bill to be entitled,

An act to provide for the call of a convention of the people of this State, to form a new constitution;

Which was read the first time.

Mr. Stewart, from the same committee, gave notice that he dissented from said report.

On motion of Mr. Pettus,

Said bill was laid on the table, and two hundred copies thereof ordered to be printed.

Mr. Singleton presented the memorial of Charles Scott and George T. Swann;

Which was read;

And accompanied said memorial with a bill to be entitled,

An act to extend the Rail Road eastwardly beyond Jackson;

Which was read the first time.

On motion of Mr. Singleton,

The constitutional rule was suspended;

And said bill read the second time forthwith.

On the further motion of Mr. Singleton,

The memorial and the bill were referred to a select committee of five.

Messrs. Singleton, Carter, Boone, Greer and Stewart, were appointed said committee.

Mr. Ramsey, from the standing committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to amend an act reducing the fees of certain officers therein named, approved February 10, 1844, so far as the same relates to the county of Amite;

An act to incorporate the Vicksburg Baptist Church;

An act to extend the terms of the court of Probates of the county of Leake;

An act to repeal an act entitled an act to declare Buck Island Bayou, in the county of Tunica, a navigable stream, approved January 24, 1844;

An act to repeal so much of an act as relates to the county of Winston, entitled an act to reduce the per diem allowance of the members of the board of police, Probate Judges, and Probate Clerks, of certain counties therein named, approved February 23, 1846;

An act to incorporate the Mississippi Manufacturing company;

And have found the same correctly enrolled.

Mr. Ramsay, from the standing committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have presented to his Excellency, the Governor, for his signature and approval, bills of the following titles, to-wit:

An act to change the time of holding the Probate court in the county of Copiah, in this State;

An act to incorporate Macon Royal Arch Chapter No. 11, of Free and Accepted Masons;

An act to incorporate Franklin Lodge No. 5, of the Independent Order of Odd Fellows, in Port Gibson, Claiborne county;

An act to change the time of holding the Probate court of Hinds county;

An act to change the time of holding the Probate court of Amite county;

An act to extend the time of holding the Probate court in the county of Warren;

An act to extend the time of holding the Probate court of Monroe county.

Mr. Boone, from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills, have examined bills of the following titles, to-wit:

A bill to be entitled,

An act to provide for furnishing to the library of Havard College, Cambridge, one copy of all the laws, Journals and Reports of the State of Mississippi;

A bill to be entitled,

An act to provide for the purchase of two hundred copies of Chilton's Probate Court Law and Practice;

A bill to be entitled,

An act to authorize a change of venue in certain cases;

And have found them correctly engrossed.

Mr. Price asked and obtained leave to the introduction of a bill to be entitled,

An act to authorize decrees of divorce in certain cases;

Which was read the first time.

On motion of Mr. Price,

The constitutional rule was suspended;

And said bill was read the second time forthwith.

Mr. Bradford offered the following amendment, to-wit:

Amend by inserting after the word "Penitentiary," the words "for the term of five years or more."

Mr. Boone offered the following amendment to the amendmen t to-wit:

Strike out "five years," and insert "three;"

Which was lost.

The question was next had on the first amendment;

Which was adopted.

The question was then had on engrossing said bill as amended;

Which was lost.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Messrs. Boone, Bradford, Briscoe, Cannon, Greer, Labauve, Price and Sharpe—8 votes.

Noes—Mr. President, Messrs. Alcorn, Beene, Carter, Catching, Davis, Dabney, Gray, Guion, Harrison, Hodges, Johnson, Kennedy, Lake, McDugald, McAffee, Pegues, Pettus, Ramsay, Singleton, Stewart, White and Wilborne—23 votes.

On motion of Mr. Alcorn,

Said bill was indefinitely postponed.

Mr. Wilborne asked and obtained leave to the introduction of a bill to be entitled,

An act incorporating all bodies and societies of ancient Free Masonry and Odd Fellowship, and of other secret associations for professed social, moral and charitable objects;

Which was read the first time.

On motion of Mr. Wilborne,

The constitutional rule was suspended,

And said bill was read the second time.

On the further motion of Mr. Wilborne,

Said bill was referred to the committee on the judiciary.

Mr. Gray presented the claim of A. P. Boyd; which,

On his motion,

Was referred to the committee on claims.

Mr. Hodges asked and obtained leave to the introduction of a bill to be entitled,

An act to incorporate Brandon Division No. 7, of the Sons of Temperance, in the town of Brandon, Rankin county, Mississippi;

Which was read the first time.

Mr. Guion, in accordance with previous notice, introduced a bill to be entitled,

An act to establish an inferior court of chancery for the central part of this State;

Which was read the first time.

Mr. Carter called from the orders of the day,

A bill to be entitled,

An act providing for the transmission and return by mail of process in certain cases; which was read the second time.

On motion of Mr. Carter,

Said bill was ordered to be engrossed for a third reading on to-morrow.

The following message was received from his Excellency the Governor, through his private Secretary, to wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate that he has approved and signed the following bill:

An act to repeal an act entitled an act to repeal the incorporation of the town of Gallatin, in Copiah county, and for other purposes—approved January 17th, 1848.

Mr. Kennedy called from the table,

A bill to be entitled,

An act to provide for the sale of lands purchased by the State at tax sales;

Which was read.

On motion of Mr. Boone,

Said bill was committed to the whole house, and made the special order of the day for 12 o'clock M., to-morrow.

Mr. Boone offered the following resolution, to-wit:

Resolved, (the House concurring,) the two houses meet in the Representative Hall on Friday next, at 12 o'clock, noon, for the purpose of electing a Keeper, Assistant Keeper and Clerk of the Penitentiary;

Which was read, and by rule lies over one day.

Mr. Cannon offered the following resolution, to-wit:

Resolved, that the committee on the judiciary be requested to frame and introduce a bill or bills, having such provisions as will embrace and specify all classes of corporations that are proper to be sanctioned in this State;

Which was read; and

On motion of Mr. Guion,

Laid on the table.

Mr. Wilborne asked and obtained leave to the introduction of a bill to be entitled,

An act to amend an act entitled an act to incorporate the Grenada Bridge and Turnpike Company, approved February 27th, 1836;

Which was read the first time.

On motion of Mr. Labauve,

The Senate concurred in the resolution of the House of Representatives, fixing on Wednesday next, at 11 o'clock, for the purpose of electing a Superintendent, Assistant Keeper and Clerk of the Penitentiary, for the term of two years.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act for the relief of John Patterson,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act for the relief of Charles Ryan, late assessor of taxes for the county of Tishemingo;

A bill to be entitled,

An act to prescribe the penalty for burglary by slaves;

A bill to be entitled,

An act to amend the laws in relation to executors and administrators;

A bill to be entitled,

An act to provide for settlements with guardians of another State by administrators and executors in this State;

A bill to be entitled,

An act to repeal an act to authorize the board of police to locate the seat of justice in Bolivar county, approved February 28, 1846, and for other purposes;

A bill to be entitled,

An act for the benefit of justices of the peace, and other persons;

A bill to be entitled,

An act for the relief of certain citizens of the county of Jones;

A bill to be entitled,

An act for the relief of William D. Wilkinson, of the State of New York;

A bill to be entitled,

An act for the relief of Jefferson J Hughes.

The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to authorize the police court of the county of Itawamba to levy a special tax;

A bill to be entitled,

An act to change the time of holding the probate court in the county of Harrison;

A bill to be entitled,

An act to incorporate Yazoo Royal Arch Chapter No. 8, of free and accepted Masons, in the town of Yazoo City;

In which, I am instructed to desire the concurrence of the Senate.

The following message was received from his Excellency the Governor, through his pvivate Secretary, to-wit:

Mr. President,—I am instructed by his Excellency, the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act to incorporate Macon Royal Arch Chapter No. 11, of Free and Accepted Masons;

Also an act to change the times of holding the probate court in the county of Copiah, in this State.

Also an act to change the time of holding the probate court of Amite county.

Also an act to extend the time of holding the probate court in the county of Warren.

Also an act to extend the time of holding the probate court of Monroe county.

Also an act to change the time of holding the probate court of Hinds county.

Also an act to incorporate Franklin Lodge No. 5, of the Independent Order of Odd Fellows, in Port Gibson, Claiborne county.

Approved January 18th, A. D., 1848.

A bill to be entitled,

An act to repeal the forthcoming bond law of this State,

Was before the Senate on the motion entered on yesterday, to recommit said bill to the committee on the judiciary.

The question being had thereon,

It was lost.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Messrs. Boone, Briscoe, Cannon, Catching, Davis, Gray, Guion, Harrison, Hodges, Kennedy, McAffee and Pettus—12 votes,

Noes—Mr. President, Messrs. Alcorn, Beene, Bradford, Carter, Dabney, Greer, Lake, Labauve, McDugald, Price, Pegues, Ramsay, Sharpe, Stewart and Wilborne—16 votes,

Mr. Briscoe moved a call of the Senate;

Which was had.

On motion of Mr. Briscoe,

The further call was suspended.

Mr. Price offered the following amendment by way of ryder, to-wit:

Section . *Be it further enacted*, That it shall be the duty of the

clerks issuing process, to endorse on the same, the date of the contract upon which the execution issued, and a forthcoming bond may be taken, or no security of any kind shall be taken;

Which was lost.

On motion of Mr. Price,

The vote refusing to recommit said bill to the committee on the judiciary,

Was reconsidered;

And said bill was recommitted to the committee on the judiciary.

A bill to be entitled,

An act to incorporate the Columbus Trade's Union Society;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate Canton Lodge No. 28, of Free and Accepted Masons, in the town of Canton, Madison county;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate Columbus division No. 9, of the Sons of Temperance, in Columbus, Mississippi;

Was read the third time.

On motion of Mr. Cannon,

Said bill was laid on the table.

A bill to be entitled,

An act to incorporate Vicksburg Royal Arch Chapter No. 8;

Was read the third time.

On motion of Mr. Pettus,

Said bill was laid on the table.

A bill to be entitled,

An act for the relief of John McClellan;

Was read the second time.

On motion of Mr. Gray,

Said bill was referred to the committee on propositions and grievances.

A bill to be entitled,

An act to incorporate Canton Lodge No. 74, of Free and Accepted Masons, in the county of Madison;

Was read the second time.

On motion of Mr. Labauve,

Said bill was laid on the table.

A bill to be entitled,

An act to incorporate Scott Lodge No. 80, of Free and Accepted Masons;

Was read the second time.

On motion of Mr. Labauve,

Said bill was laid on the table.

A bill to be entitled,

An act to incorporate "Hebrew Ketusha," a benevolent society in the city of Natchez;

Was read the second time.

On motion of Mr. Labauve,

Said bill was laid on the table.

A bill to be entitled,

An act to incorporate Covenant Lodge No. 20, of the Independent Order of Odd Fellows;

Was read the second time.

On motion of Mr. Labauve,

Said bill was laid on the table.

A bill to be entitled,

An act to change the time of holding the Circuit Courts in the second judicial district of this State, and for other purposes;

Was read the second time.

On motion of Mr. Ramsay,

The constitutional rule was suspended,

And said bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to authorize the Judge of the Probate court of Marion county, to hold the terms of his court in the Probate Clerk's office of said county;

Was read the second time.

A bill to be entitled,

An act to change the time of holding the probate court of Coahoma county;

Was read the second time.

On motion of Mr. Alcorn,

The constitutional rule was suspended;

And said bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to appropriate a portion of the Yazoo City hospital fund to educational purposes;

Was read the second time.

A bill to be entitled,

An act to incorporate the German Benevolent Society of Natchez;

Was read the second time.

On motion of Mr. Labauve,

Said bill was laid on the table.

A bill to be entitled,

An act to amend an act entitled an act to incorporate the town of Rodney, and for other purposes, approved February 10th, 1844;

Was read the second time.

A bill to be entitled,

An act for the relief of Cornelius O'Sullivan;

Was read the first time.

A bill to be entitled,

An act for the relief of John Dean;

Was read the first time.

On motion of Mr. Gray,

The constitutional rule was suspended,

And said bill was read the second time forthwith.

On motion of Mr. Sharpe,

The constitutional rule was further suspended;

And said bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the benefit of John Moore;

Was read the first time.

A bill to be entitled,

An act to provide for the purchase of two hundred copies of Chilton's Probate court Law and Practice;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Guion called for the ayes and noes on the passage of said bill, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Alcorn, Beene, Catching, Davis, Dabney, Gray, Greer, Guion, Harrison, Lake, McAffee, Price, Pegues, Pettus, Ramsay and Stewart—17 votes.

Noes—Messrs. Boone, Bradford, Briscoe, Cannon, Carter, Hodges, Kennedy, Labauve, McDugald, Singleton, Sharpe and Wilborne—12 votes.

A bill to be entitled,

An act to provide for furnishing to Harvard College, Cambridge, one copy of all the Laws, Journals, Reports, &c., of the State of Mississippi;

Was read the third time.

Mr. Gray offered the following amendment, by way of ryder, to-wit:

Provided, that no copy of any of the herein named laws, books or journals, shall be sent to said library, unless there be duplicate copies thereof in the office of the Secretary of State;

Which was read and adopted;

And said bill, with its ryder, put on its final passage, and passed.

Ordered, that the title thereof be as stated.

Mr. Catching called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Alcorn, Bradford, Dabney, Gray, Greer, Guion Harrison, Lake, Labauve, McDugald, Prior, Pegues, Ramsay, Stewart and Wilborne—16 votes.

Noes—Messrs. Boone, Beene, Briscoe, Carter, Catching, Davis, Hodges, Kennedy, McAffee, Pettus, Singleton and Sharpe—13 votes.

A bill to be entitled,

An act for the relief of Shields L. Hussey of Lauderdale county;

Was read the second time.

On motion of Mr. Cannon,

Said bill was recommitted to the committee on claims.

A bill to be entitled,

An act for the relief of Archibald Milloy, of Covington county;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Catching,

The Senate adjourned.

WEDNESDAY, JANUARY 19th, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Greer presented the petition of William Thompson;

Which was read.

On motion of Mr. Guion,

Said petition was rejected.

Mr. Kennedy presented the petition of Edwin Mortimer;

Which was read.

On motion of Mr. Kennedy,

Said petition was referred to the committee on propositions and grievances.

Mr. Guion, from the standing committee on the judiciary, to whom had been referred a bill to be entitled,

An act to authorize Henry S. Caulking, his heirs or assigns, to establish and keep a ferry across the Mississippi River, at Rodney,

Reported said bill back as amended.

On motion of Mr. Guion,

The report was received;

And said bill, as amended, read the first time.

Mr. Briscoe moved to disagree to said report;

Which was lost.

On motion of Mr. Briscoe,

Ordered that said bill, as amended, be engrossed for a third reading on to-morrow.

The following message was received from the House of Representatives, through their clerk, to-wit:

MR. PRESIDENT—The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to repeal an act entitled an act to amend an act for the protection and preservation of the rights of married women, approved February 20, 1846;

A bill to be entitled,

An act to amend an act entitled an act to change the mode of collecting revenue of hawkers and pedlars, approved 28th February, 1846;

A bill to be entitled,

An act to amend an act entitled an act to amend and reduce into one, the several acts in relation to the revenue of the State;

A bill to be entitled,

An act to improve the navigation of Big Black River;

A bill to be entitled,

An act to repeal in part, an act to provide for funding the Treasury Warrants of the State of Mississippi, issued prior to the 1st of January, 1841, approved February 6, 1841;

A bill to be entitled,

An act to amend the several acts for the protection and preservation of the rights of married women.

The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to incorporate the Columbus Artillery Company;

A bill to be entitled,

An act to restrict the jurisdiction of the sheriff of Tippah county in certain cases therein mentioned;

A bill to be entitled,

An act to incorporate the Louisville Division No. 11, of the Sons of Temperance;

A bill to be entitled,

An act to incorporate Coffeeville Lodge No. 83, of Free and Accepted Masons, in the town of Coffeeville, Yallobusha county;

A bill to be entitled,

An act to annex in the county of Adams, township No. 8 of range 2 west, to township No. 8 of range 3 west, and for other purposes;

In which I am requested to desire the concurrence of the Senate.

The House of Representatives have agreed to the report of the joint select committee of both Houses, recommending the following amendment to the 14th joint rule, viz:

The following committees shall be joint standing committees:

The committee on claims, on accounts, on the Penitentiary, and on internal improvements, each to consist of not less than five members of the House, and three of the Senate.

Mr. Ramsay, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to apportion the hands of the town of Fulton, in the county of Itawamba, on the road leading from Fulton to Pontotoc, and for other purposes;

An act to authorize the members of the board of police of Issaquena county, to remove the county seat of said county;

A bill to be entitled,

An act to change the name of Caroline Thomas Smith, Martha Jane Smith, and Robert Benjamin Smith;

And have found the same correctly enrolled.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr President—The committee on engrossed bills, have examined a bill of the following title, to-wit:

A bill to be entitled,

An act providing for the transmission and return by mail, of process in certain cases;

And have found the same correctly engrossed.

Mr. Ramsay, from the standing committee on enrolled bills, made the following report, viz:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to repeal so much of an act, as relates to the county of Winston, entitled "an act to reduce the per diem allowance of the members of the board of police, Probate Judges, and Probate Clerks, of certain counties therein named, approved February 23d, 1846;"

An act to incorporate the Mississippi Manufacturing company;

An act to incorporate the Vicksburg Baptist Church.

Mr. Guion, from the committee on the judiciary, to whom had been referred the memorial of Anderson Hutchinson, Esq., in relation to a code of the statute laws of the State, prepared and compiled by him, reported as follows, to-wit:

Mr. President—The committee on the judiciary, to whom was referred the memorial of Anderson Hutchinson, Esq., in relation to a code of the statute laws of the State, prepared and compiled by him, have had the same under consideration, and have instructed me to make the following report:

The committee have given the work but a partial examination, but from their own inspection and the commendations of intelligent members of the bar who have had an opportunity to examine it more thoroughly than your committee, they are satisfied that it is a work calculated to be eminently useful and valuable, not only to the legal profession, but to every citizen who can read; and to the public officers of the State especially.

The compiler has bestowed upon it great care and labor, and has, we think, succeeded in preparing a work which will supply a *desideratum* long needed by the State.

I am instructed to report a bill to be entitled,

An act in relation to the code of Mississippi;

Which was read the first time.

On motion of Mr. Guion,

The report was received.

Mr. Guion, from the standing committee on the judiciary, made the following report, to-wit:

Mr. President—The committee on the judiciary, to whom was referred the petition of John H. Dale of Claiborne county, praying the passage of a law to enable him to execute the last will and testament of Blount W. Parr, deceased, emancipating two slaves therein named, have had the same under consideration, and have instructed me to report, that in the opinion of the committee, the prayer of the petitioner ought not to be granted, as it is contrary to the policy of the State as declared by legislative action, which has been by the High Court of Errors and Appeals, judicially sanctioned at their present term.

On motion of Mr. Guion,

Said report was received and agreed to.

Mr. Guion, from the standing committee on the judiciary, made the following report, to-wit:

Mr. President—The committee on the judiciary, to whom was referred the bill to be entitled "an act to abolish capital punishment in this State," have had the same under consideration, and have instructed me to report the same without amendment, and recommend that it be not passed. The committee are aware that modern reformists have advanced the doctrine, that life being the gift of the Creator, cannot be sacrificed by human laws consistently with our natural rights. The correctness of this doctrine is not admitted

by the committee. Men, when they form a social compact, surrender many of their natural rights, as the equivalent for the protection afforded by the government instituted for the benefit of the community, individually and collectively, and it may well be questioned if the protection of the community does not require, in certain instances, that the lives of certain individuals should be sacrificed. There are crimes, the commission of which, prove the perpetrator to be wholly devoid of moral feeling, and unfit for a state of society even among convicted felons. Of this class is the crime of murder, and that it should be punished by the death of the offender, we have the authority of the divine law, "whoso shedeth man's blood, by man shall his blood be shed." If the provisions of the bill under consideration, be founded on the principle that society has not the right to take the life of an individual, it is inconsistent in discriminating between the cases of the white and black culprit; life being to both the gift of a common creator. If on assumed principles of philanthropy, that philanthropy which would consign a human being to the walls of a prison, to pine and fret away his existence in solitude and misery, instead of the grave, may well be questioned.

On motion of Mr. Guion,

The report was received.

Mr. Guion, from the committee on the judiciary, to whom had been referred a bill to be entitled,

An act incorporating all bodies and societies of ancient Free Masonry and Odd Fellowship, &c.,

Reported said bill back without amendment, and expressed the opinion that it ought not to be passed.

On motion of Mr. Guion,

The report was received.

Mr. Guion, from the judiciary committee, made the following report, to-wit:

Mr. President—The standing committee on the judiciary, to whom was referred a bill to be entitled, "an act to impose a penalty on justices of the peace, for violating the law in regard to their jurisdiction," have had the same under consideration, and have instructed me to report the same without amendment, and recommend that it be not passed. The committee think it bad policy to authorize the recovery of pecuniary penalties from judicial officers,

especially by parties litigant before them, who may conceive themselves aggrieved by their judicial decisions. Its direct tendency would be to bring the judicial department into contempt. The proper administration of justice by the ministers of the law, from the highest to the lowest, is a matter of public concern, and the remedy for its mal-administration should be untainted as far as possible, by private interests or feelings of dissatisfaction. The committee are of opinion that the remedies already provided for the evil aimed at by the bill under consideration, are fully adequate and comport with sound policy.

On motion of Mr. Guion,

The report was received.

On motion of Mr. Catching,

Said bill was recommitted to a select committee of three.

Messrs. Pettus, Singleton and Catching, were appointed said committee.

The following message was received from the House of Representatives, through their clerk, to-wit:

Mr. President—I am instructed to inform the Senate that the Hall of the House is now in readiness for their reception, to the end that the two Houses convene in the Representative Hall on to-day at 11 o'clock for the purpose of electing a Superintendent, Assistant Keeper and Clerk of the Penitentiary, in conformity to a joint resolution adopted by both Houses.

The Senate forthwith repaired to the Hall of the House of Representatives, and took the seats assigned them.

The President of the Senate announced the object of the joint meeting.

On motion of Mr. Liddell of the House,

Ordered, that said election be conducted by ballot.

Messrs. Boone of the Senate, and Liddell of the House, were appointed tellers, to conduct said election.

Mr. Liddell of the House, nominated Mr. Harris for Keeper of the Penitentiary.

Mr. Pettus of the Senate, nominated Mr. Wade.

Mr. Neill of the House, nominated Mr. Cook.

Mr. Cushman of the House, nominated Mr. Wyatt.

Mr. Beene of the Senate, nominated Mr. Moseley.

And forthwith, the Secretary of the Senate, and the Clerk of the

House of Representatives, proceeded to call their respective rolls, when upon the first ballot the vote stood as follows, to-wit:

Mr.	Wade,	received	35	votes,
"	Moseley,	"	48	"
"	Wyatt,	"	4	"
"	Harris,	"	18	"
"	Cook,	"	18	"
"	Ezekiel,	"	1	"

Whereupon the President announced, that inasmuch as neither of the candidates voted for had received a majority of the votes cast, there was no election.

Mr. Cushman of the House, withdrew the name of Mr. Wyatt, as a candidate before the joint meeting.

Mr. Noble of the House, withdrew the name of Mr. Harris

And forthwith the Secretary of the Senate, and the Clerk of the House of Representatives, proceeded to call their respective rolls, when upon the second ballot the vote stood as follows, to-wit:

Mr.	Wade	received	45	votes,
"	Moseley	"	63	"
"	Cook	"	16	"

Whereupon the President announced, that inasmuch as Mr. Moseley had received a majority of the votes given, he was duly elected Superintendent of the Penitentiary for the term prescribed by law;

And forthwith the joint meeting proceeded to the election of Assistant Keeper of the Penitentiary.

Mr. Liddell of the House, nominated Mr. Smith as a candidate for Assistant Keeper.

Mr. McAffee of the House, nominated Mr. Carr.

Mr. Wilborne of the Senate, nominated Mr. Jackson.

Mr. Catching of the Senate, nominated Mr. Price.

Whereupon the Secretary of the Senate, and the Clerk of the House of Representatives, proceeded to call their respective rolls, when upon the first ballot the vote stood as follows, to-wit:

Mr.	Price	received	63	votes,
"	Jackson	"	6	"
"	Carr	"	33	"
"	Smith	"	21	".

Whereupon the President announced, that inasmuch as Mr.

Price had received a majority of the whole vote given, he was duly elected Assistant Keeper of the Penitentiary for the term prescribed by law.

The joint meeting forthwith proceeded to the election of a Clerk for the Penitentiary.

Mr. Boone of the Senate, nominated Mr. Barrows.

No opposition appearing;

On motion of Mr. Liddell of the House,

Ordered, that Mr. Barrows be elected Clerk of the Penitentiary by acclamation.

Whereupon the President announced, that Mr. Barrows was duly elected Clerk of the Penitentiary during the term prescribed by law.

The object of the joint meeting being accomplished, the Senate withdrew to their Chamber.

Mr. Stewart asked and obtained leave to the introduction of a bill to be entitled,

An act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as the same relates to the counties of Wilkinson and Franklin;

Which was read the first time.

On motion of Mr. Stewart,

The constitutional rule was suspended;

An said bill was read the second time forthwith;

And ordered to be engrossed for a third reading on to-morrow.

Mr. Singleton presented the petition of John Dean, sen'r;

Which was read.

On motion of Mr. Singleton,

Said petition was referred to a select committee of three.

Messrs. Singleton, Boone and Hodges, were appointed said committee.

Mr. Briscoe asked and obtained leave to the introduction of a bill to be entitled,

An act concerning judgment liens;

Which was read the first time.

On motion of Mr. Briscoe,

The constitutional rule was suspended;

And said bill was read the second time forthwith.

On motion of Mr. Guion,

Said bill was laid on the table.

Mr. Gray asked and obtained leave to the introduction of a bill to be entitled,

An act to abolish the office of State Commissioner, and for other purposes;

Which was read the first time.

On motion of Mr. McAffee,

The Senate concurred in the resolution from the House of Representatives, referring so much of the Governor's message as relates to the printing of an additional number of the acts of the Legislature and journals of the two Houses, to a joint select committee of five on the part of the House, and blank on the part of the Senate, with instructions to report by bill or otherwise, as early as practicable.

Messrs. Gray, Dabney and McDugald, were appointed a committee of three on the part of the Senate.

Mr. Dabney, from the judiciary committee, to whom had been recommitted a bill to be entitled,

An act to repeal the forthcoming bond law of this State,

Reported said bill back with certain amendments.

On motion of Mr. Labauve,

The report was received;

And said bill, with amendments, read,

Mr. Guion, from the same committee, made the following minority report, to-wit:

Mr. President—The undersigned chairman of the committee on the judiciary, to whom was referred the bill to be entitled an act to repeal all laws now in force in relation to forthcoming bonds, &c., being in a minority of the committee, begs leave to make the following report: Three of the committee are in favor of the passage of the repealing bill; two of the committee, of whom the undersigned is one, are opposed to it, but they do not agree entirely in their views of the policy that should be adopted in relation to the subject; and the undersigned stands alone in his views. The objections urged against the forthcoming bond law are, that it delays beyond a reasonable period, the collection by the creditor, of his demands against his debtor; that it really impairs in many instances, the security of the creditor for the payment of his claim, instead of increasing it by releasing the lien of the original judgment, and

involves sureties involuntarily and ignorantly in pecuniary embarrassment. The undersigned is opposed to impeding the collection of debts and the enforcement of contracts by any unnecessary delay in the execution of the remedial process of the courts; and he is equally opposed to the hot haste which would place the debtor entirely at the mercy of the creditor, or drive him to seek relief at the hands of the broker and money lender. In an agricultural community, such as ours, dependent for its circulating medium upon a single great staple, which yields its golden supplies but once a year, the execution of judgments in midsummer, would produce injury to the unfortunate debtor by forcing him to submit, as the only alternative, to the exactions of the shaver, or the sacrifice of his property. While by our legislation, we should not impair the rights of creditors, we should have some regard for the interest of debtors. The forthcoming bond law has been a part of the policy of the State for more than twenty-five years, and the undersigned has not heard any convincing argument why it should be repealed. The first objection to it, is answered by the proposition, that its repeal would, in many instances, place the debtor in the power of his creditor, and afford him an undue advantage, by enabling him to obtain, as purchaser of the property of his debtor, at a reduced price, more than he would be entitled to receive in satisfaction of his demand. The second objection which has force in it, may be easily obviated, by a modification of the law which would return the lien of the original judgment on the property of the debtor.—The third objection has, in the opinion of the undersigned, no force. The inutility of any system cannot be inferred from the abuse of it. The best gifts of our Creator are often abused; yet from that no legitimate argument can be predicated that they should not be used. The undersigned is of opinion that the best policy—a policy dictated by a just regard for the rights of creditors and the interest of debtors, would be to repeal the 1st, 2d and 3d sections of an act entitled an act to regulate the practice of the Circuit courts, approved February 22d, 1840, and to modify the forthcoming bond law as above suggested. And he submits herewith a bill, which he proposes as a substitute for the one reported by the majority of the committee, entitled an act to repeal the 1st, 2d and 3d sections of the act to regulate the practice of the Circuit courts, approved February 22d, 1840, and to amend the law in relation to forthcoming bonds;

Which substitute was read.

On motion of Mr. Guion,

The report was received.

On motion of Mr. Briscoe,

A call of the Senate was had.

On motion of Mr. Briscoe,

The absentees were sent for.

Mr. Bradford moved to suspend the call,

Which was lost.

Mr. Labauve moved to suspend the call,

Which was lost.

The absentees appearing,

On motion of Mr. Guion,

The call was suspended.

Mr. Guion moved to postpone the further consideration of the majority and minority reports until to-morrow;

Which was lost.

Mr. Labauve moved to agree to the majority report;

Which was lost.

Mr. Briscoe called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Beene, Bradford, Carter, Dabney, Greer, Johnson, Lake, Labauve, Price, Pegues, Ramsay, Sharpe, Stewart and Wilborne—15 votes.

Noes—Messrs. Alcorn, Boone, Briscoe, Cannon, Catching, Davis, Gray, Guion, Harrison, Hodges, Kennedy, McDugald, McAffee, Pettus and Singleton—15 votes.

On motion of Mr. Gray,

The minority report was agreed to.

Mr. Briscoe called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Messrs. Alcorn, Boone, Beene, Bradford, Cannon, Carter, Davis, Dabney, Gray, Greer, Guion, Harrison, Hodges, Johnson, Kennedy, Labauve, McDugald, McAffee, Pegues, Ramsay, Stewart and Wilborne—22 votes.

Noes—Mr. President, Messrs. Briscoe, Catching, Lake, Price, Pettus, Singleton and Sharpe—8 votes,

Mr. Stewart offered the following resolution, to-wit:

Resolved, (the House concurring), that the standing committee on education, shall hereafter be a joint standing committee, to con-

sist of three on the part of the Senate, and on the part of the House.

Which was read.

On motion of Mr. Stewart,

The rule requiring joint resolutions to lay over one day, was suspended,

And said resolution adopted forthwith.

Messrs. Stewart, Pettus and Pegues, were appointed said committee.

On motion of Mr. Pettus,

The Senate adjourned.

THURSDAY, January 20th, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

On motion of Mr. White,

Leave of absence was granted to Mr. Lake, the honorable Senator from the county of Warren, for three days.

Mr. Guion presented the claim of George Masters;

Which on his motion,

Was referred to the committee on claims.

Mr. Boone presented the claim of J. M. Graybill; which,

On his motion,

Was referred to the committee on claims.

Mr. McAfee presented the claim of William B. Tisdell; which,

On his motion,

Was referred to the committee on claims.

Mr. Singleton, from a select committee, made the following report, to-wit:

Mr. President—The select committee to whom was referred the memorial of Chas. H. Scott and George F. Swann, praying the passage of an act to modify the existing acts in relation to the two per cent fund and for other purposes, have had the same under consideration, together with the bill intended to carry out the objects of said memorial, and a majority of said committee have instructed me to report to this honorable body that it is their deliberate opinion that the prayer of the memorial ought to be granted, and to that end, have directed me to report the bill back to the

Senate without amendment, and recommend its passage; the committee are aware that considerable legislation has been had heretofore in regard to this fund, both by the Congress of the United States and by the legislature of this State, and that there has been and still exists a variety of opinions with respect to the policy of further legislation by either of these bodies upon the subject matter: but in the opinion of the committee, the course designated by the memorial, the substance of which is embodied in the bill, must obviate all difficulties and harmonise all opinions in relation to this somewhat perplexing question: should Congress think proper upon the application of you memorialists to modify the terms of the grant of that fund to build the Southern Railroad so far as to permit a portion of it to be used for the completion of that part of said road, which lies between Jackson and Brandon, instead of requiring a strict adherence to the terms of the grant, and making it imperative that the whole of said fund should be expended in building said road east of Brandon, beginning at the latter point: the committee are of opinion that such a course would be carrying out substantially the object of the donor of this fund to the State of Mississippi, and altogether consonant with reason and wise legislation. By this slight modification on the part of Congress and a sanction of it by the legislature of this State, there would be built a continuous line of Railroad, beginning at Jackson and running as far east towards the Alabama line as said fund would finish the same, when judiciously expended, instead of leaving an entire interval in said road between Jackson and Brandon unfinished, which would render wholly valuless whatever portion of said road might be constructed on the east side of Brandon. If this fund is set apart specifically for making said road, and cannot be diverted from that purpose to any other; (as all must admit the fact to be) then in the estimation of the committee, it becomes a matter of little importance whether it be expended on the east and west side of Brandon, except so far as the practical results and absolute advantages of the work to our fellow-citizens are concerned, and if these are the only objects to be kept in view, surely a liberal and enlightened policy would dictate the course pointed out by your memorialists. Although the Southern Railroad when finished as far as the whole amount of the two per cent fund will complete the same, must necessarily fall far short of the expectations once cherished by its friends, yet it will secure to many of the citizens of

this State east of Pearl river, who have been long neglected, facilities and advantages for reaching the marts of commerce to which they have hitherto been strangers; and in the opinion of the committee, should the work be vigorously prosecuted while the fund lasts, and an interest be manifested on the part of the State in the project, the time is not far distant when capitalists will turn their attention to the matter, and thus ultimate success crown the wishes and a rich harvest reward the labors of its friends.

The bill reported back without amendment; entitled,

An act to extend the Railroad eastwardly from Jackson, was read.

On motion of Mr. Singleton,

The report was received, and said bill read.

On the further motion of Mr. Singleton,

Two hundred copies of said bill were ordered to be printed.

The following message was received from the House of Representatives, through their clerk, to-wit:

Mr. President—The Speaker of the House of Representatives has signed bills of the following titles:

A bill to be entitled,

An act to authorize the members of the board of police of Issaquena county, to remove the county seat of said county.

A bill to be entitled,

An act to change the names of Caroline Thomas Smith, Martha Jane Smith, and Robert Benjamin Smith.

A bill to be entitled,

An act to apportion the bands of the incorporation of the town of Fulton in the county of Itawamba, on the road leading from Fulton to Pontotoc, and for other purposes.

An act to incorporate the town of Lexington, in the county of Holmes.

An act to incorporate Canton Lodge No. 28, of Free and Accepted Masons, in the town of Canton, Madison county.

An act for the relief of John Dean.

An act for the relief of John Patterson.

An act to change the time of holding the probate courts of Coahoma county.

An act to change the time of holding the circuit courts in the second judicial district of this State, and for other purposes.

An act to incorporate the Columbus Trades Union Society;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed a bill to be entitled an act for the relief of the representatives of Jonathan Hunt deceased;

In which I am instructed to desire the concurrence of the Senate.

The President signed the bills in said message mentioned.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr President—The committee on engrossed bills, have examined bills of the following titles, to-wit:

A bill to be entitled,

An act to authorize Henry S. Caulking, his heirs or assigns, to establish and keep a ferry across the Mississippi River at Rodney;

A bill to be entitled,

An act to amend an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as the same relates to the counties of Wilkinson and Franklin;

And have found the same correctly engrossed.

Mr. Davis, from a standing committee, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have examined bills of the following titles, to-wit:

An act to change the time of holding the Circuit court in the second judicial district of this State, and for other purposes;

An act for the relief of John Dean;

An act to change the time of holding the Probate court of Coahoma county;

An act for the relief of John Patterson;

An act to incorporate Canton Lodge No. 28, of Free and Accepted Masons, in the town of Canton, Madison county;

An act to incorporate the Columbus Trades' Union Society;

An act to incorporate the town of Lexington, in the county of Holmes;

And have found the same correctly enrolled.

On motion of Mr. Beene,

The resolution from the House of Representatives, appointing a joint select committee, composed of one member from each of the counties in the 6th and 7th judicial districts, on the part of the

House, and on the part of the Senate, to enquire into the organization of said districts, and that they have leave to report by bill or otherwise,

Was called up.

Mr. Guion offered the following amendment, to-wit:

Amend, by striking out of the second line, the words "each of the counties of the 6th and 7th," and insert in lieu thereof, the words "one member from each of the," and insert in the 5th line, after the word "district," the words "of this State;"

Which was read.

Mr. Bradford offered the following amendment to the amendment, to-wit:

Provided that the number of judicial districts shall not be increased;

Which was adopted.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Bradford, Briscoe, Cannon, Davis, Greer, Harrison, Kennedy, Labauve, McAffee, Pettus, Ramsay, Singleton, Sharpe and Wilborne—15 votes.

NOES—Messrs. Alcorn, Boone, Beene, Carter, Catching, Dabney, Gray, Guion, Johnson, McDugald, Price, Pegues, Stewart and White—14 votes.

The question was next had on the amendment as amended;

Which was lost.

On motion of Mr. Pettus,

The vote last taken was reconsidered,

And said amendment as amended, adopted,

The question was then had on concurring with said resolution as amended;

Which was decided in the affirmative.

The in said resolution, was filled with the number seven.

Messrs. Beene, Guion, Cannon, McDugald, Catching, Gray and Davis, were appointed said committee.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act to authorize the Judge of the Probate court of Marion county, to hold the terms of his court in the Probate Clerk's office of said county;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to appropriate a portion of the Yazoo City hospital fund to educational purposes;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to amend an act entitled an act to incorporate the town of Rodney, and for other purposes, approved February 10th, 1844;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of the heirs of Cornelius O'Sullivan;

Was read the second time;

And ordered to a third reading on to-morrow.

A bill to be entitled,

An act for the benefit of John Moore;

Was read the second time.

A bill to be entitled,

An act to authorize the police court of the county of Itawamba, to levy a special tax;

Was read the first time.

A bill to be entitled,

An act to incorporate Yazoo Royal Arch Chapter No. 8, of Free and Accepted Masons, in the town of Yazoo City;

Was read the first time.

A bill to be entitled,

An act to change the time of holding the probate court in the county of Harrison;

Was read the first time.

A bill to be entitled,

An act to incorporate Coffeeville Lodge No. 83, of Free and Accepted Masons, in the town of Coffeeville, Yallobusha county;

Was read the first time.

Mr. Pettus moved to lay said bill on the table;

Which was lost.

A bill to be entitled,

An act to incorporate the Louisville Division No. 11, of the Sons of Temperance;

Was read the first time.

Mr. Labauve moved to lay said bill on the table;

Which was lost.

Mr. Cannon called from the table the following resolution, to-wit:

Resolved, that the committee on the judiciary be requested to frame and introduce a bill or bills having such provisions as will embrace and specify all classes of corporations that are proper to be sanctioned in this State;

Which was adopted.

A bill to be entitled,

An act to incorporate the Columbus Artillery Company;

Was read the first time.

On motion of Mr. Cannon,

Said bill was laid on the table.

A bill to be entitled,

An act to restrict the jurisdiction of the sheriff of Tippah county in certain cases therein mentioned;

Was read the first time.

On motion of Mr. Price,

Said bill was laid on the table.

A bill to be entitled,

An act to annex in the county of Adams, township No. 8 of range 2 west, to township No. 8 of range 3 west, and for other purposes,

Was read the first time.

On motion of Mr. Stewart,

The constitutional rule was suspended;

And said bill was read the second time forthwith.

On the further motion of Mr. Stewart,

The rule was further suspended,

And said bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to repeal the first, second and third sections of an act to regulate the practice of the circuit courts, approved February 22d, 1840,

Was read the second time.

On motion of Mr. Guion,

Said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled,

An act to change the time of holding the probate court for Tippah county,

Was read the second time.

Mr. Boone offered the following amendment, to-wit:

After the word "Tippah," add "and Tishemingo;"

Which was adopted.

On motion of Mr. Price,

Said bill, as amended, was ordered to be engrossed for a third reading on to-morrow.

Mr. McDugald called for the consideration of

A bill to be entitled,

An act to change the time of holding the probate courts in the counties of Clarke and Jasper;

Which was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Ramsay called for the consideration of

A bill to be entitled,

An act to relinquish to the United States jurisdiction over a lot of ground as a site for the erection of Biloxi Light-house;

Which was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Briscoe called for the consideration of

A bill to be entitled,

An act to authorize Henry S. Caulking, his heirs or assigns, to establish and keep a ferry across the Mississippi river at Rodney;

Which was read the third time forthwith.

Mr. Briscoe offered the following amendment by way of ryder, to-wit:

Section . *Be it further enacted*, That the board of police of the county of Jefferson, and the corporation of the town of Rodney, are hereby prohibited from licensing or establishing any other ferry for the transportation of persons or property across the Mississippi river at the town of Rodney, or from any point within one mile above or below said town, for the term of twelve years after the passage of this act;

Which was adopted.

Which bill, with its ryder, was put on its passage, and passed:

Ordered, that the title thereof be as stated.

Mr. Guion called for the consideration of

A bill to be entitled,

An act for the relief of Joseph D. Foster;

Which was read the second time.

On motion of Mr. Guion,

Said bill was ordered to be engrossed for a third reading on to-morrow,

On motion of Mr. Kennedy,

The further consideration of a bill to be entitled,

An act to provide for the sale of lands purchased by the State at tax sale,

Was postponed until to-morrow 11 o'clock, A. M., in committee of the whole.

Mr. Kennedy gave notice that he would, on to-morrow or some subsequent day, introduce

A bill to be entitled,

An act to alter and amend the road law of the State.

Mr. Pettus moved an adjournment;

Which was lost.

A bill to be entitled,

An act providing for the transmission and return by mail of process in certain cases,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to increase the salaries of the district attorneys of the State,

Was read the third time and passed.

On motion of Mr. Guion,

The title of said bill was amended as follows, to-wit:

Strike out "salaries," and insert "compensation."

Ordered, that the title thereof be as amended.

Mr. Briscoe called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Alcorn, Boone, Beene, Cannon, Carter, Catching, Gray, Greer, Harrison, Hodges, Lahaeve, Price, Pegues, Ramsay, Singleton, Stewart and Wilborne—18 votes.

Noes—Messrs. Bradford, Briscoe, Davis, Dabney, Guion, John-

son, Kennedy, McDugald, McAffee, Pettus, Sharpe and White—12 votes.

A bill to be entitled,

An act to attach portions of Issaquena and Washington counties to Yazoo county,

Was read the third time.

Mr. White offered the following amendment, by way of ryder, to-wit:

Be it enacted by the authority aforesaid, that from and after the annexation as aforesaid, the clerks of the circuit court and probate court of Issaquena and Washington counties shall, on the requisition of the board of police of Yazoo county, deliver to the clerks of the circuit court and probate court of Yazoo county, all original papers on file as records in the said offices in Issaquena and Washington, relating to cases arising, or to estates, within the territory so annexed, to be by the said clerks of the circuit and probate courts of Yazoo, deposited in their respective offices as records thereof.

Be it further enacted, that all cases pending in the circuit courts of Issaquena and Washington counties, and all unfinished business in the probate courts of the counties last aforesaid, arising within the limits of the territory so annexed, from and after such annexation, shall be transferred respectively to the circuit and probate courts of Yazoo county, to be there tried and finally disposed of.

Be it further enacted, that the board of police of Yazoo county be and is hereby authorized and required, after the annexation aforesaid, to employ a clerk or clerks to transcribe into suitable books from the journals and judgment rolls of the circuit courts of Issaquena and Washington counties, copies of all proceedings in cases by this act directed to be transferred, and of transcript of judgments having liens on property within the limits of the territory so annexed; and also from the offices of the probate courts of the counties last aforesaid, copies of all orders, judgments and decress of said courts, relating to the estates of decedents, minors or persons non compos within said limits, and also copies of all records of land and personal property within the limits of said territory; and that the same, when approved by the said board of police, shall be deposited in the offices to which they respectively belong, of the circuit and probate courts of Yazoo county, and

shall have the same force and effect as records of like kind in this State.

Be it further enacted, that the said clerk or clerks so employed as aforesaid, shall have full and free access to all the books and papers necessary to transcribe said records, and that the clerks of the said courts of Issaquena and Washington, shall not hinder access thereto, or in any way retard the clerk or clerks so employed, under the penalty of one thousand dollars, to be recovered by suit at the instance of any one giving information thereof before any court having competent jurisdiction;

Which was adopted;

And said bill, with its ryder, put on its final passage, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to authorize the change of venue in certain cases,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to change and reduce the corporate limits of the town of Grand Gulf, in the county of Claiborne, as prescribed in an act entitled an act to incorporate the town of Grand Gulf, approved the 25th day of December, 1833,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Catching,

The Senate adjourned.

FRIDAY, JANUARY 21st, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Labauve, from the committee on propositions and grievances, made the following report, to-wit:

MR. PRESIDENT—The standing committee on propositions and grievances, to whom was referred the bill "entitled an act for the relief of John McLellan," have had the same under consideration, and have instructed me to report, that the committee are of opinion, however worthy the said McLellan may be of the sympathy of the

Legislature, and of the public, the statutes of this State have made provisions for such case. If the laws are defective, it would be better to amend them so as to provide a remedy, than by the passage of this act, whose example, if acted out, will result in converting the Legislature into a *dispensorium* of alms.

The committee can perceive no difference in principle, between appropriating money from the treasury for that purpose. It is a precedent which they are not prepared to recommend, and they therefore hope, that the bill will not pass.

All of which is respectfully submitted.

On motion of Mr. Labauve,

The report was received and agreed to.

Mr. Labauve, from the committee on propositions and grievances, made the following report, to-wit:

Mr. President—The standing committee on propositions and grievances, to whom was referred the petition of Edwin Mortimer, a citizen of Carroll county, have had the same under consideration, and have instructed me to report, that in the opinion of the committee, they have no jurisdiction over the subject matter mentioned in said petition, and ask to be discharged from the further consideration of the same.

On motion of Mr. Labauve,

Said report was received and agreed to.

Mr. Briscoe asked and obtained leave to the introduction of a bill to be entitled,

An act to authorize the Grand Gulf Rail Road and Banking Company to sell their rail way;

Which was read the first time.

On motion of Mr. Briscoe,

The constitutional rule was suspended,

And said bill was read the second time forthwith,

And ordered to be engrossed for a third reading on to-morrow.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills, have examined the following bills, to-wit:

A bill to be entitled,

An act to repeal the first, second and third sections of an act to regulate the practice of the Circuit courts, approved February 22d,

1840, and to amend the law in relation to forthcoming bonds;

A bill to be entitled,

An act to change the time of holding the courts of Probates for Tippah and Tishemingo counties;

A bill to be entitled,

An act for the relief of Joseph B. Foster;

And have found the same correctly engrossed.

Mr. Carter asked and obtained leave to the introduction of a bill to be entitled,

An act authorizing the Judges of the Circuit courts of this State to employ assistant counsel for the State in certain cases;

Which was read the first time.

On motion of Mr. Carter,

The constitutional rule was suspended,

And said bill was read the second time forthwith;

And referred to the committee on the judiciary.

Mr. Price asked and obtained leave to the introduction of a bill to be entitled,

An act to compel banks out of the limits of this State, or their assignees, transferees, or usees of action, to take the notes of such bank in payment of their debts;

Which was read the first time.

Mr. Labauve asked and obtained leave to the introduction of a bill to be entitled;

An act to divide the fifty-first regiment of the Mississippi Militia of the county of De Soto;

Which was read the first time.

Mr. Dabney called from the table the memorial of sundry citizens of the county of Noxubee, praying that the slaves of non-residents be taxed higher than the slaves of resident citizens; and,

On motion of Mr. Dabney,

Said memorial was referred to the joint select committee raised by both Houses upon said subject.

Mr. Guion asked and obtained leave to the introduction of a bill to be entitled,

An act to provide for the support of the poor in the city of Jackson;

Which was read the first time.

On motion of Mr. Guion,

The constitutional rule was suspended;

And said bill was read the second time forthwith;

And ordered to be engrossed for a third reading on to-morrow.

Mr. Boone called from the table a bill to be entitled,

An act to provide for the call of a convention of the people of this State, to form a new constitution;

Which was read the second time.

On motion of Mr. Labauve,

Said bill was committed to the whole house, and made the order of the day for Thursday next, 11 o'clock, A. M.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act for the relief of the heirs of Cornelius O'Sullivan;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Sharpe called from the table a bill to be entitled,

An act to prohibit the circulation of foreign bank notes in this State.

Mr. Sharpe moved to commit said bill to the whole house forthwith;

Which was lost.

On motion of Mr. Kennedy,

Said bill was committed to the whole house, and made the order of the day for Monday next, 11 o'clock, A. M.

Mr. White offered the following resolution, to-wit:

Resolved, that the gallant Captain, John M. Sharpe of the first Mississippi Regiment, be invited to a seat in the Senate;

Which was read and adopted.

A bill to be entitled,

An act for the relief of John Moore;

Was read the third time and lost.

A bill to be entitled,

An act to authorize the police court of the county of Itawamba, to levy a special tax;

Was read the second time.

A bill to be entitled,

An act to incorporate Yazoo Royal Arch Chapter No. 8, of Free and Accepted Masons, in the town of Yazoo City;

Was sead the second time.

Mr. Labauve moved to lay said bill on the table;

Which was lost.

A bill to be entitled,

An act to change the time of holding the Probate court in the county of Harrison;

Was read the second time.

A bill to be entitled,

An act to incorporate Coffeeville Lodge No. 83, of Free and Accepted Masons, in the town of Coffeeville, Yalobusha county;

Was read the second time.

A bill to be entitled,

An act to incorporate the Louisville Division No, 11, of the Sons of Temperance;

Was read the second time.

On motion of Mr. Dabney,

The constitutional rule was suspended;

And said bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of the representatives of Jonathan Hunt, deceased;

Was read the first time.

The Senate resolved itself into committee of the whole on a bill to be entitled,

An act to provide for the sale of lands purchased by the State at tax sales;

And after some time spent therein, the committee rose; and,

Mr. Ramsay reported progress, and asked leave to sit again on Monday next, 11 o'clock, A. M.

On motion of Mr. Ramsay,

The report was received and leave granted.

A bill to be entitled,

An act to repeal the 1st, 2d and 3d sections of "an act to regulate the practice of the Circuit courts," approved February 22d, 1840;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to change the time of holding the courts of Probate of Tippah and Tishemingo counties;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled an act for the relief of Joseph D. Foster;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Boone,

The vote rejecting the bill to be entitled,

An act for the benefit of John Moore,

Was reconsidered;

And said bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate Brandon Division No. 7, of the Sons of Temperance, in the town of Brandon, Rankin county, Mississippi;

Was read the second time.

On motion of Mr. Singleton,

The constitutional rule was suspended;

And said bill considered as engrossed, and read the third time forthwith, and passed:

Ordered, that the title thereof be as stated:

Mr. Briscoe, on his motion,

Has leave to withdraw the petition of John H. Dale, and the accompanying documents.

A bill to be entitled,

An act to amend an act to incorporate the Grenada Bridge and Turnpike Company;

Was read the second time; and,

On motion of Mr. Wilborne,

Ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled,

An act to establish an inferior court of Chancery for the central part of this State;

Was read the second time.

On motion of Mr. Guion,

Said bill was laid on the table.

Mr. Guion offered the following resolution, to-wit:

Resolved, (the House of Representatives concurring), that a joint select committee, to consist of three on the part of the Senate, and on the part of the House, be appointed to enquire into the condition of the business on the dockets of the High Court of Errors and Appeals, and of the Superior Court of Chancery; whether unnecessary delays in the despatch of business, in said

courts prevail, and whether legislative action on the subject be necessary, with leave to report by bill or otherwise;

Which was read.

On motion of Mr. Guion,

The rule requiring joint resolutions to lay over one day, was suspended,

And said resolution adopted forthwith.

Messrs. Guion, Price and Cannon, were appointed said committee.

On motion of Mr. Guion,

A bill to be entitled,

An act concerning the code of Mississippi,

Was committed to the whole house, and made the order of the day for Tuesday next.

On motion of Mr. Gray,

A bill to be entitled,

An act to abolish the office of State commissioner, and for other purposes,

Was referred to a select committee of three.

Messrs. Gray, Labauve and Pegues, were appointed said committee.

A bill to be entitled,

An act to amend an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as the same relates to the counties of Wilkinson and Franklin;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

The Senate took up the resolution from the House of Representatives, directing the Librarian to furnish the Auditor of Public Accounts, for the use of his office, one copy of the acts of the Legislature for each session from 1840 to 1846, both years inclusive, and also one copy of Howard & Hutchinson's Digest.

Mr. Harrison offered the following amendment, to-wit:

Provided that there shall be duplicate copies of said books in the Library;

Which was adopted;

And said resolution as amended, concurred in.

On motion of Mr. Stewart,

The Senate adjourned.

SATURDAY, JANUARY 22, 1848.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

On motion of Mr. McDugald,

Mr. Hodges, the honorable Senator from the counties of Rankin and Smith, had leave of absence granted him until Tuesday next.

On motion of Mr. Harrison,

Mr. Cannon, the honorable Senator from the counties of Oktibbeha and Chickasaw, had a temporary leave of absence granted him.

On motion of Mr. Singleton,

Mr. Catching, the honorable Senator from the counties of Copiah and Simpson, had leave of absence granted him until Monday next.

On motion of Mr. Briscoe,

Mr. McAffee, the honorable Senator from the counties of Covington, Jones, Wayne and Greene, had a temporary leave of absence granted him.

Mr. Labauve presented the petition of sundry citizens of Coahoma county;

Which was read.

On motion of Mr. Alcorn,

Said petition was referred to the committee on propositions and grievances.

Mr. Guion presented the petition of William C. Page; which,

On his motion,

Was referred to the committee on claims.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to establish a State Normal School;

A bill to be entitled,

An act to restore to the town of Woodville certain privileges granted in the act of incorporation, and for other purposes;

A bill to be entitled,

An act to amend the laws of this State in relation to dower;

A bill to be entitled,

An act to reduce the pay of the tax assessor of Jackson county;

A bill to be entitled,

An act to regulate the practice in civil and criminal cases in justices courts in this State;

A bill to be entitled,

An act to incorporate a lunatic asylum for the State of Mississippi;

A bill to be entitled,

An act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, and other societies and companies.

The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to authorize the citizens of Hancock county to locate the seat of justice of said county, and for other purposes;

A bill to be entitled,

An act to incorporate the town of Commerce, approved February 15, 1839; and an act entitled an act to amend an act entitled an act to incorporate the town of Commerce, approved February 3d, 1840:

And have also adopted the following resolution:

Resolved, (the Senate concurring,) that the chairman of the joint standing committee on enrolled bills be and he is hereby authorized and required to make the following correction in a bill entitled an act to incorporate the Mississippi Manufacturing Company, passed the present session of the Legislature of said State, to-wit: in the third line of the second section of said bill, to insert the words twenty-five instead of five, so that the same will read twenty-five shares, instead of five shares;

In which I am instructed to desire the concurrence of the Senate.

Mr. Labauve, from the standing committee on propositions and grievances, to whom was referred the petition of William Halliburton,

Reported a bill to be entitled,

An act for the relief of William Halliburton, and recommend its passage;

Which was read the first time.

Mr. Labauve, from the standing committee on propositions and grievances, to whom was referred the petition of L. D. Perry,

Reported a bill of the following title, and recommend its passage:

A bill to be entitled,

An act for the relief of L. D. Perry;

Which was read the first time.

Mr. Boone, from the joint standing committee on claims, to whom had been recommitted a bill for the relief of Shields L. Hussey,

Reported said bill back without amendment, and recommend its passage.

The committee on investigation find that Mr. Hussey was appointed by the court and qualified to prosecute the case recited in the preamble of the bill and has done so. The State has only one attorney allowed by law to prosecute in her behalf in such cases. They therefore believe that if others have been engaged in the prosecution, they must look to them that employed them.

Mr. Boone moved to receive and agree to said report.

The question was first had upon receiving,

Which was decided in the affirmative.

On motion of Mr. Gray,

The report was agreed to.

On motion of Mr. Ramsay,

The bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Pettus, from a joint select committee, made the following report, to-wit:

Mr. President—The joint select committee to whom was referred that part of the Governor's message relating to the 500,000 acres of land granted by Congress to this State, together with a bill entitled an act to dispose of the internal improvement lands of this State, and sundry petitions, have had the whole subject under consideration, and instructed me to report the following bill, and asked to be discharged from the further consideration thereof.

The bill reported, entitled

An act to provide for the sale of the 500,000 acres of land donated to the State of Mississippi by the Congress of the United States, for purposes of internal improvement,

Was read the first time.

On motion of Mr. Pettus,

The report was received.

On motion of Mr. Labauve,

The bill was laid on the table;

And two hundred copies thereof ordered to be printed.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles to-wit:

An act to appropriate a portion of the Yazoo City hospital fund to educational purposes;

An act to annex in the county of Adams, township No. 8 of range two west, to township No. 8 of range three west, and for other purposes;

An act for the relief of the heirs of Cornelius O'Sullivan;

An act to incorporate the Louisville Division No. 11, of the Sons of Temperance;

An act to authorize the judge of the probate court of Marion county to hold the terms of his court in the probate clerk's office of said county;

An act to amend an act entitled an act to incorporate the town of Rodney, and for other purposes, approved February 10th, 1846;

And have found the same correctly enrolled.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills have examined bills of the following titles, to-wit,

A bill to be entitled,

An act to authorize the Grand Gulf Rail Road and Banking Company to sell their rail way;

A bill to be entitled,

An act to provide for the support of the poor in the city of Jackson;

A bill to be entitled,

An act to amend an act to incorporate the Grenada Bridge and Turnpike Company;

And have found the same correctly engrossed.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT.—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor for his approval and signature, bills of the following titles, to-wit:

An act to authorize the members of the board of police of Issaquena county to remove the county seat of said county;

An act to apportion the lands of the incorporation of the town of Fulton in the county of Itawamba, on the road leading from Fulton to Pontotoc, and for other purposes;

An act to incorporate the Columbus Trades Union Society;

An act to incorporate the town of Lexington, in the county of Holmes;

An act to extend the terms of the court of probate of the county of Leake;

An act to change the names of Caroline Thomas Smith, Martha Jane Smith, and Robert Benjamin Smith;

An act to change the time of holding the probate court of Coahoma county;

An act to incorporate Canton Lodge No. 28, of free and accepted Masons, in the town of Canton, Madison county;

An act to change the time of holding the circuit court in the second judicial district of this State, and for other purposes;

An act for the relief of John Patterson;

An act for the relief of John Dean.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act to authorize the police court of the county of Itawamba, to levy a special tax,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate Yazoo Royal Arch Chapter No. 8, of free and accepted Masons, in the town of Yazoo City,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to change the time of holding the probate court in the county of Harrison,

Was read the third time and passed;

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorpooate Coffeeville Lodge No. 83, of free and accepted Masons, in the town of Coffeeville, Yallobusha county,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of the representatives of Jonathan Hunt, deceased,

Was read the second time.

On motion of Mr. Singleton,

The constitutional rule was suspended;

And said bill was read the third time and passed;

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to amend an act to incorporate the Grenada Bridge and Turnpike Company,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Briscoe,

A bill to be entitled,

An act to authorize the Grand Gulf Rail Road and Banking Company to sell their rail way,

Was postponed until Tuesday next, 12 o'clock, M.

A bill to be entitled,

An act to compel banks out of the limits of this State, or their assignees, transferees, or usees of action, to take the notes of such bank in payment of their debts,

Was read the second time.

On motion of Mr. Price,

Said bill was referred to the committee on the judiciary.

A bill to be entitled,

An act to provide for the poor in the city of Jackson,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. White asked and obtained leave to the introduction of

A bill to be entitled,

An act to change the time of holding the court of probates of Issaquena county,

Which was read the first time.

On motion of Mr. White,

The constitutional rule was suspended;

And said bill was read the second time forthwith.

On the further motion of Mr. White,

The rule was further suspended and said bill considered as engrossed;

Ordered, that the title thereof be as stated:

A bill to be entitled,

An act to divide the fifty-first regiment of the Mississippi militia of the county of De Soto;

Was read the second time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And said bill was considered as engrossed and read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Singleton called from the table,

A bill to be entitled,

An act to extend the railroad eastwardly beyond Jackson;

Which was read.

On motion of Mr. Labauve,

Said bill was committed to the whole house, and made the order of the day for Friday next.

Mr. Price called from the table,

A bill to be entitled,

An act for the relief of sheriffs and tax collectors;

Which was read.

On motion of Mr. Price,

Said bill was referred to the committee on finance.

Mr. Carter asked and obtained leave to the introduction of

A bill to be entitled,

An act to reduce the per diem allowance of the judge of probate in Lauderdal county;

Which was read the first time.

On motion of Mr. Carter,

The constitutional rule was suspended,

And said bill was read the second time forthwith;

And ordered to be engrossed for a third reading on Monday next.

Mr. Alcorn called from the table,

A bill to be entitled,

An act to incorporate the town of Delta, in the county of Coahoma.

On motion of Mr. Alcorn,

Said bill was referred to a select committee of three.

Messrs. Alcorn, McDougald, and Wilborne, were appointed said committee.

The following message was received from the House of Representatives, through their clerk, to-wit:

Mr. President—The House have adopted the following joint resolution, to-wit:

Resolved, (the Senate concurring,) that the sergeant-at-arms be instructed and required to cause to be removed from the front of the Capital, all slaves offered for sale as merchandize.

In which I am instructed to desire the concurrence of the Senate.

The Senate proceeded to the consideration of said message.

On motion of Mr. Briscoe,

Said message was laid on the table.

On motion of Mr. Guion,

Bills of the following titles were called from the table and disposed of as follows:

A bill to be entitled,

An act to incorporate the Columbus artillery company;

Was read the second time.

On motion of Mr. Ramsay,

The constitutional rule was suspended,

And said bill was read the third time forthwith and passed;

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate the Hebrew Ketusha, a benevolent society of the city of Natchez;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate the German benevolent society of Natchez;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate Columbus Division No. 9, of the Sons of Temperance, in Columbus, Mississippi;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate Covenant Lodge No. 20, of Independent Order of Odd Fellows;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate Scott Lodge No. 80, of Free and Accepted Masons;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate Vicksburg Royal Arch Chapter No. 3;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate the Camden Lodge No. 74, of Free and Accepted Masons, in the county of Madison;

Was read the third time and passed:

Mr. Greer called from the table,

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to abolish capital punishment in this State;

Which was read the second time.

On motion of Mr, Sharp,

Said bill was ordered to be engrossed for a third reading on Monday next.

On motion of Mr. Ramsay,

The Senate adjourned.

MONDAY, JANUARY 24, 1846.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Guion presented the claim of Waldron & Co.; which,

On his motion,

Was referred to the committee on claims.

Mr. Guion presented the petition of Isaac Chrisman; which,

On his motion,

Was referred to the committee on claims.

Mr. Guion presented the petition of James E. White;

Which was read; and

On motion of Mr. Guion,

Referred to a select committee of three.

Messrs. Guion, Lake and Price, were appointed said committee.

Mr. Singleton asked and obtained leave to the introduction of

A bill to be entitled,

An act for the relief of James S. Pritchard, John B. Moore, and Nathan B. Whitehead;

Which was read the first time.

On motion of Mr. Singleton,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On motion of Mr. Singleton,

Said bill was referred to a select committee of three.

Messrs. Singleton, Pettus and Davis, were appointed said committee.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The Speaker of the House of Representatives has signed:

An act to incorporate the Louisville Division No. 11, of the Sons of Temperance;

An act to appropriate a portion of the Yazoo City hospital fund to educational purposes;

An act to amend an act entitled an act to incorporate the town of Rodney, and for other purposes, approved February 10th, 1844;

An act for the relief of the heirs of Cornelius O'Sullivan;

An act to annex in the county of Adams, township No. 8 of range 2 west, to township No. 8 of range 3 west, and for other purposes;

An act to authorize the judge of the probate court of Marion county to hold the terms of his court in the probate clerk's office of said county;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have concurred in the first and second amendments made by the Senate to the House resolution, appointing a joint select committee to reorganize the 6th and 7th judicial districts, and have disagreed to the proviso made by the Senate prohibiting the number of additional districts from being increased;

And have appointed on the part of the House as said committee, Messrs. Foote of Noxubee, Cox, Mason, Weathersby, Godfrey, Houston and Hinds.

The House have given leave to the introduction of

A bill to be entitled,

An act to incorporate the Trustees of Eureka Masonic College at Richland, in Holmes county.

The President signed the bills in said message mentioned.

Mr. Price presented the claim of John W. Thompson; which,

On his motion,

Was referred to the committee on claims.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act for the relief of the representatives of Jonathan Hunt, deceased;

An act to incorporate Coffeeville Lodge No. 83, of free and accepted Masons, in the town of Coffeeville, Yallobusha county;

An act for the relief of John Moore;

And have found the same correctly enrolled.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills, have examined bills of the following titles, to-wit:

A bill to be entitled,

An act to reduce the per diem allowance of the probate judge of Lauderdale county;

A bill to be entitled,

An act to abolish capital punishment in this State;

A bill to be entitled,

An act for the relief of Shields L. Hussey, of Lauderdale county;

And have found the same correctly engrossed.

Mr. Sharpe asked and obtained leave to the introduction of

A bill to be entitled,

An act to regulate the practice and proceedings in the high court of errors and appeals of the State of Mississippi;

Which was read the first time.

On motion of Mr. Sharpe,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Sharpe,

Said bill was referred to the committee on the judiciary.

Mr. Pettus asked and obtained leave to the introduction of

A bill to be entitled,

An act to authorize judges of the probate courts of the various counties of this State to make allowances to executors and administrators in certain cases;

Which was read the first time.

On motion of Mr. Pettus,

The constitutional rule was suspended,

And said bill was read the second time forthwith.

On the further motion of Mr. Pettus,

Said bill was referred to the committee on the judiciary.

Mr. Beene moved to recede from the proviso made by way of amendment by the Senate to the resolution from the House, appointing a joint select committee to reorganize the 6th and 7th judicial districts, which proviso prohibits the number of additional districts from being increased;

And the question being had thereon,

It was decided in the negative.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Beene, Davis, Gray, Guion, Kennedy, Lake, McDugald, Price, Pegues, White and Wilborne—12 votes.

Noes—Messrs. Bradford, Briscoe, Carter, Catching, Dabney, Greer, Harrison, Labauve, McAffee, Pettus, Ramsay, Singleton and Sharpe—13 votes.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act to authorize the citizens of Hancock county to locate the seat of justice of said county, and for other purposes.

Was read the first time.

On motion of Mr. Ramsay,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Ramsay,

Said bill was laid on the table.

A bill to be entitled,

An act to repeal an act entitled an act to incorporate the town of Commerce, approved February 15th, 1839, and an act entitled an act to amend an act entitled an act to incorporate the town of Commerce, approved February 3d, 1840,

Was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And said bill was read the second time forthwith.

On the further motion of Mr. Labauve,

The rule was further suspended,

And said bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Alcorn asked and obtained leave to the introduction of

A bill to be entitled,

An act to provide for the construction of a levee on the Mississippi river for the protection and improvement of the State and school lands, and for other purposes;

Which was read the first time.

On motion of Mr. Alcorn,

The constitntional rule was suspended,

And said bill was read the second time by title.

On the further motion of Mr. Alcorn,

Said bill was laid on the table;

And two hundred copies thereof ordered to be printed.

The Senate resolved itself into committee of the whole on

A bill to be entitled,

An act to provide for the sale of lands purchased by the State at tax sales;

And after some time spent therein, the committee rose, and

Mr. Carter reported said bill back without amendment.

[illegible]

The report was received.

On motion of Mr. Kennedy,

Said bill was referred to a select committee of seven.

Messrs. Kennedy, Guion, Bradford, Harrison, Pettus, Alcorn and Price, were appointed said committee.

On motion of Mr. Sharpe,

The consideration of a bill entitled,

An act to prohibit the circulation of foreign bank notes in this State,

Was postponed until Saturday next, in committee of the whole.

A bill to be entitled,

An act for the relief of William Halliburton,

Was read the second time.

On motion of Mr. White,

Said bill was indefinitely postponed,

Mr. Briscoe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Beene, Davis, Gray, Greer, Guion, Harrison, Johnson, Kennedy, Lake, McDugald, McAffee, Pegues, Ramsay, Sharpe and White—17 votes.

NOES—Messrs. Bradford, Briscoe, Carter, Catching, Dabney, Labauve, Price, Pettus, Singleton and Wilborne—10 votes.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed

An act for the relief of the representatives of Jonathan Hunt, deceased;

An act for the benefit of John Moore;

An act to incorporate Coffeeville Lodge No. 83, of free and accepted Masons, in the town of Coffeeville, Yallobusha county;

Which are herewith presented to the Senate for the signature of the President.

The President signed the bills in said message mentioned.

A bill to be entitled,

An act for the relief of L. D. Perry,

Was read the second time.

On motion of Mr. Labauve,

Said bill was ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Wilborne,

A bill to be entitled,

An act incorporating all bodies and societies of ancient Free Masonry and Odd Fellowship, and of other secret associations of professed social, moral and charitable objects,

Was referred to a select committee of three.

Messrs. Wilborne, Gray and McDougald, were appointed said committee.

On motion of Mr. Gray,

The Senate adjourned.

TUESDAY, JANUARY 25th, 1848.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Ramsay presented the petition of J. Carlisle,

Which was read.

On motion of Mr. Ramsay,

Said petition was referred to the committee on propositions and grievances.

Mr. Cannon asked and obtained leave to the introduction of,

A bill to be entitled,

An act to authorize Henry L. Hampton to erect a mill-dam;

Which was read the first time.

On motion of Mr. Cannon,

The constitutional rule was suspended, and said bill was read by title the second time forthwith.

On the further motion of Mr. Cannon,

Said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Kennedy, from the standing committee on finance, made the following report, to-wit:

MR. PRESIDENT—The standing committee on finance, to whom was referred,

A bill to be entitled,

An act to for the relief of sheriffs and tax-collectors, have had

the same under consideration, and [illegible] return the bill back to the Senate [illegible]

The committee [illegible] legislation on the subject is unnecessary at this time.

First. Because the present sheriffs and tax collectors sought and obtained their places with a full knowledge of the non-existence of any law allowing them mileage, and perhaps, not the most remote idea of such additional pay being allowed them.

Secondly. Because, in the opinion of your committee, the allowance now made by law is an ample reward for all the duties required of them.

Thirdly. Because it is the impression of the committee, that the relief asked for by the bill, is not a subject of serious and general complaint in the State.

All of which is most respectfully submitted.

On motion of Mr. Kennedy,

The report was received and agreed to.

Mr. Beene, from the standing committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills, have examined a bill of the following title, to-wit:

A bill to be entitled,

An act for the relief of L. D. Perry;

And have found the same correctly engrossed.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to incorporate Vicksburg Royal Arch Chapter No. 3;

An act to incorporate the Hebrew Ketusha, a benevolent society of the city of Natchez;

An act to incorporate Camden Lodge No. 74, of Free and Accepted Masons, in the county of Madison;

An act to change the time of holding the Probate court in the county of Harrison;

An act to incorporate the German Benevolent Society of Natchez;

An act to incorporate the Scott Lodge No. 80, of Free and Accepted Masons;

An act to incorporate Covenant Lodge No. 20, of the Independent Order of Odd Fellows;

An act to incorporate Columbus division No. 9 of the Sons of Temperance, in Columbus, Mississippi;

An act to authorize the police court of the county of Itawamba, to levy a special tax;

An act to incorporate Yazoo Royal Arch Chapter No. 8, of Free and Accepted Masons, in the town of Yazoo City;

An act to incorporate the Columbus Artillery, in the city of Columbus, Mississippi;

And have found the same correctly enrolled.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have concurred in the Senate resolution, making the standing committee on education, a joint standing committee, to consist of three on the part of the Senate, and on the part of the House;

And have appointed on the part of the House, Messrs. Catchings, Dilworth, Ford, Stanton, Ellis, Brooke and Foote of Noxubee.

The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to amend an act entitled an act to reorganize the judicial districts of this State, and for other purposes;

A bill to be entitled,

An act to amend an act entitled an act to organize and establish Circuit courts;

A bill to be entitled,

An act to establish a board of Commissioners, in order to the most useful and economical application of the proceeds arising from the sale of the five hundred thousand acres of land, given for purposes of internal improvement.

The Senate proceeded to the consideration of the orders of the day;

And forthwith resolved itself into committee of the whole, on a bill to be entitled,

An act concerning the code of Mississippi;

And after some time spent therein, the committee rose; and

Mr. Pettus reported said bill back, and asked leave to sit again on Monday next.

On motion of Mr. Pettus,

The report was received, and leave granted.

Mr. Price from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act for the relief of the representatives of Jonathan Hunt, deceased;

An act for the benefit of John Moore;

An act to amend an act entitled an act to incorporate the town of Rodney, and for other purposes, approved February 10, 1844;

An act for the relief of the heirs of Cornelius O'Sullivan;

An act to appropriate a portion of the Yazoo City Hospital fund to educational purposes;

An act to incorporate the Louisville Division No. 11, of the Sons of Temperance;

An act to authorize the Judge of the Probate court of Marion county, to hold the terms of his court in the Probate Clerk's office of said county;

An act to annex in the county of Adams, township No. 8 of range 2 west, to township No. 8 of range 3 west, and for other purposes;

An act to incorporate Coffeeville Lodge No. 83, of Free and Accepted Masons, in the town of Coffeeville, Yallobusha county;

A bill to be entitled,

An act to authorize the Grand Gulf Rail Road and Banking Company to sell their rail-way;

Was read the third time.

Mr. Briscoe offered the following amendment, by way of ryder, to-wit:

Section . *Be it further enacted*, That said Grand Gulf Rail Road and Banking Company are hereby declared liable to taxation for the year 1843, and every year thereafter, at the rate of twenty-five cents on every share, or on every hundred dollars of their capital stock, together with a proportionate county tax, for the county of Claiborne; and it shall be the duty of the assessor and tax collector of the county of Claiborne, to assess and collect said tax for the year 1843, and every year thereafter, at the above rate, and to pay over the same according to law, retaining the legal commissions for assessing and collecting the same;

Which was adopted;

And said bill, with its ryder, put on its final passage, and passed:

Ordered, that the title thereof be as stated.

Mr. Guion called for the ayes and noes on the passage thereof, which are as follows, to-wit:

AYES—Messrs. Beene, Bradford, Briscoe, Carter, Catchings, Davis, Dabney, Greer, Kennedy, Labauve, McAffee, Price, Singleton, Sharpe and Wilborne—15 votes.

NOES—Mr. President, Messrs. Alcorn, Cannon, Gray, Guion, Harrison, Hodges, Lake, McDugald, Pegues, Pettus, Ramsay and White—13 votes,

Mr. Alcorn, from a select committee, to whom had been committed a bill to be entitled,

An act to incorporate the town of Delta, in the county of Coahoma:

Reported said bill back with the following amendment, to-wit:

Stike out after 1846, in the seventh line of the fifth section, to "that" of the ninth line of the same section, and recommend the adoption of said amendment.

On motion of Mr. Alcorn,

The report was received;

And said amendment was considered as engrossed, and read the third time forthwith with said bill and passed:

Ordered, that the title thereof be as stated.

Mr. Wilborne, from a select committee, to whom had been referred the "memorial of the National Medical convention;"

Reported that, in the opinion of the committee, it is not practicable to carry out the object of the said memorial, and asked to be discharged from the further consideration of the subject;

Which report was read.

On motion of Mr. Wilborne,

The report was received and agreed to.

A bill to be entitled,

An act for the relief of L. D. Perry;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to abolish capital punishment in this State;

Was read the third time,

On motion of Mr. Price,
A call of the Senate was had.
A full Senate not appearing,
On motion of Mr. Price,
The absentees were sent for.
On motion of Mr. Kennedy,
The further call was suspended.
And on motion of Mr. Kennedy,
The further consideration of said bill was postponed until Thursday next.

Mr. Briscoe asked and obtained leave for the introduction of
A bill to be entitled,
An act to enable tax collectors more efficiently to collect the revenue of this State;
Which was read the first time.
On motion of Mr. Briscoe,
The constitutional rule was suspended,
And said bill was read the second time forthwith by title.
On the further motion of Mr. Briscoe,
Said bill was committed to the whole house, and made the order of the day for Friday next.

Mr. Sharp asked and obtained leave for the introduction of
A bill to be entitled,
An act to regulate the collection of debts arising from rents and leases;
Which was read the first time.

Mr. Beene asked and obtained leave for the introduction of
A bill to be entitled,
An act to change the time of holding the circuit courts in the 7th judicial district in this State;
Which was read the first time.
On motion of Mr. Beene,
The constitutional rule was suspended, and said bill was read the second time forthwith by title.
On the further motion of Mr. Beene,
Said bill was referred to a select committee of seven.
Messrs. Beene, Boone, Price, Bradford, Pegues, Labauve, and Greer, were appointed said committee.

A bill to be entitled,

An act for the relief of Shields L. Hussey of Lauderdale county;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to entitled,

An act to reduce the per diem allowance of the probate judge of Lauderale county;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Gray presented the petition of Sterling H. Lester;

Which, on his motion,

Was referred to the committee on claims.

Mr. Dabney asked and obtained leave for the introduction of

A bill to be entitled,

An act to prevent frauds in conveyances, and to protect innocent purchasers;

Which was read the first time.

On motion of Mr. Dabney,

The constitutional rule was suspended, and said bill read the second time forthwith by title:

On the further motion of Mr. Dabney,

Said bill was referred to the committee on the judiciary.

Mr. Greer called from the table,

A bill to be entitled,

An act to amend an act, entitled an act, to amend the Penitentiary code of this State, and for other purposes;

Which was read.

On motion of Mr. Kennedy,

The Senate went into committee of the whole forthwith on said bill;

And after some time spent therein,

The committee rose; and

Mr. Catching reported said bill back with sundry amendments.

On motion of Mr. Catching,

The report was received and agreed to.

On motion of Mr. Price,

Said bill as amended, was ordered to be engrossed for a third reading on to-morrow.

Mr. Singleton from a select committee, made the following report, to-wit:

Mr. President—The select committee to whom was referred the petition of John Deer sen'r., praying relief, &c., have duly considered the same, and have instructed me to report to the Senate, that in their opinion the relief asked for cannot be afforded.

The committee are satisfied that the amount of money in said petition alledged to have been paid to W. C. Richards, cashier of the Planters Bank, by said D. W. Haley, was paid as charged, and with an honest intention; but that said Planters Bank at the time of the reception of said amount of money by its cashier, was not the commissioner of the Sinking Fund, and therefore not authorized to receive the same. But the committee are further of opinion that as the Planters Bank had been before that time commissioner of said fund, and duly authorized to transact all business in relation thereto, and had received and receipted for large sums of money due to the same, and that as a misapprehension might readily arise in the minds of those indebted to said fund, as to whom payments should be made, that therefore the said petitioner ought not to be wholly without relief; and have instructed me to report a bill herewith, which they believe will adjust the matter upon equitable principles.

On motion of Mr. Singleton,

The report was received;

And the bill therein reported,

Entitled an act for the relief of John Deer sen'r., surviving executor of B. Haley deceased;

Was read the first time.

On motion of Mr. Price,

The Senate adjourned.

WEDNESDAY, January, 26th, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Price, from a joint select committee, made the following report, to wit:

Mr. President—The joint select committee on the Chickasaw school lanks, to whom was referred so much of the Governor's message as relates to the Chickasaw school lands, have had the

same under consideration, and have instructed me to report a bill, which is here submitted, and ask to be discharged from the further consideration of the same.

The bill therein reported, entitled,

An act to provide for the leasing of the Chickasaw school lands;

Was read the first time.

On motion of Mr. Bradford,

The report was received.

On motion of Mr. Bradford,

The constitutional rule was suspended;

And said bill was read the second time forthwith, by title.

On the further motion of Mr. Bradford,

Said bill was laid on the table, and two hundred copies thereof ordered to be printed.

Mr. Briscoe offered the following resolution, viz:

Resolved, that a joint select committee, consisting of one member from the Senate, and from the House of Representatives, be raised, whose duty it shall be to visit Oakland College, in the county of Claiborne. They shall examine and inquire into the condition of said College, and report to the two Houses whether in their opinion said College needs and deserves the patronage of this State;

Which was read.

On motion of Mr. Briscoe,

The rule requiring joint resolutions to lie over one day, was suspended;

And said resolution read the second time, and adopted forthwith.

Mr. Gray was appointed a committee of one, on said resolution.

The Senate took up the resolution from the House of Representatives, authorizing and requiring the chairman of the joint standing committee on enrolled bills to make the following correction on a bill entitled an act to incorporate the Mississippi Manufacturing Company, passed the present session of the Legislature of this State, to-wit: in the third line of the second section of said bill, to insert the words twenty-five, instead of five, so that the same will read twenty-five shares instead of five shares;

Which was read; and,

On motion of Mr. Labauve,

Concurred in.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The Speaker of the House of Representatives has signed,

An act to incorporate the "Hebrew Ketusha," a benevolent society of the city of Natchez;

An act to incorporate Vicksburg Royal Arch Chapter No. 3;

An act to incorporate Camden Lodge No. 64, of Free and Accepted Masons, in the county of Madison;

An act to change the time of holding the Probate court in the county of Harrison;

An act to incorporate the German Benevolent Society of Natchez;

An act to incorporate the Scott Lodge No. 80, of Free and Accepted Masons;

An act to incorporate Covenant Lodge No. 20, of the Independent Order of Odd Fellows;

An act to incorporate Columbus Division No. 9, of the Sons of Temperance, in Columbus, Miss.;

An act to authorize the police court of the county of Itawamba to levy a special tax;

An act to incorporate Yazoo Royal Arch Chapter No. 8, of Free and Accepted Masons, in the town of Yazoo City;

An act to incorporate the Columbus Artillery, in the city of Columbus, Miss.;

Which are herewith presented to the Senate for the signature of the President.

The President signed the bills in said message mentioned.

Mr. Guion presented the petition of Israng and Wagner;

Which was read.

On motion of Mr. Guion,

Said petition and accompanying documents were referred to the committee on propositions and grievances.

Mr. Lake presented the petition of sundry citizens of the county of Warren;

Which was read; and,

On motion of Mr. Lake,

Referred to the committee on propositions and grievances.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills, have examined bills of the following titles, to-wit:

A bill to be entitled,

An act to authorize Henry L. Hampton to erect a mill dam;

A bill to be entitled,

An act to amend an act entitled an act to amend the Penitentiary code of this State, and for other purposes:

And have found the same correctly engrossed.

The Senate Proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act to authorize Henry L. Hampton to build a mill dam;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to regulate the collection of debts arising from rents and leases;

Was read the second time.

On motion of Mr. Guion,

Said bill was referred to the committee on the judiciary.

A bill to be entitled,

An act to amend an act entitled an act to amend the Penitentiary code of this State, and for other purposes;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of John Deer, sen'r, surviving executor of B. Haley, dec'd;

Was read the second time.

On motion of Mr. Kennedy,

Said bill was laid on the table.

Mr. Labauve asked and obtained leave to the introduction of a bill to be entitled,

An act to transcribe into suitable books the records of the court of Probate of the county of De Soto;

Which was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended;

And said bill was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

The bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Pettus called from the table a bill to be entitled,

An act to provide for the sale of the five hundred thousand acres of land, donated to the State of Mississippi by the Congress of the United States, for purposes of internal improvement;

Which was read the second time.

On motion of Mr. Pettus,

Said bill was committed to the whole house, and made the order of the day for Saturday next.

Mr. Alcorn asked and obtained leave to the introduction of a bill to be entitled,

An act for the relief of W. W. Smith of Panola county;

Which was read the first time.

On motion of Mr. Alcorn,

The constitutional rule was suspended,

And said bill was read the second time forthwith, by title.

On the further motion of Mr. Singleton,

The rule was further suspended,

And said bill considered as engrossed, and read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Singleton asked and obtained leave to the introduction of a bill to be entitled,

An act to incorporate the Canton Male Academy in the county of Madison;

Which was read the first time.

On motion of Mr. Singleton,

The constitutional rule was suspended,

And said bill was read the second time forthwith, by title.

On the further motion of Mr. Singleton,

The rule was further suspended,

And said bill considered as engrossed, and read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

The following message was received from his Excellency, the Governor, through his private Secretary, to-wit:

Mr. President—I am instructed by his Excellency, the Governor, to deliver the Senate a communication in writing, January 25th, 1848, which is in the words and figures following, viz:

Fellow-Citizens of the Senate
and House of Representatives:

My immediate predecessor having, in his late message, presented to the Legislature most of the subjects which will, likely, occupy your deliberations, I deem it unnecessary to reiterate them. I shall, therefore, confine myself, in this communication, to subjects not embraced in his message, and to one of great importance, upon which I am compelled, reluctantly, to dissent from the views by him expressed.

The character of the State is, I conceive, deeply involved in the question, whether the bonds of the State, issued for the purpose of taking stock in the Planter's Bank, shall be paid.

In view of the conflicting opinions existing among our citizens, as to the State's liability on those bonds, and the high character of many, for morality and intelligence, who have argued against that liability, I have long and anxiously reflected upon the subject. I have given it the most patient and candid investigation, of which I was capable, and the result has been the decided conviction, that the State is bound by every consideration of good faith, justice and honor, to pay those bonds.

The most plausible argument which I have heard, against the obligation of the State to pay these bonds, is founded on the facts, that in the charter of the Bank of Mississippi, there was a provision prohibiting the creation of any other bank during its chartered existence; and that in violation of this contract with the old bank, the Legislature chartered the Planter's Bank, thereby violating that clause of the constitution, which provides that "no law shall be passed impairing the obligation of contracts."—Hence they contend that the charter of the Planters Bank was unconstitutional, and the bonds are, therefore, void.

It is obvious, that those who use this argument, consider it necessary to prove the unconstitutionality of the bonds, in order to destroy their validity, and binding obligation on the State. If it can be shown, that in this, the argument wholly fails, it is presumed they will admit that it avails them nothing. In the examination of this position, it may well be questioned, whether the Legislature had any power to insert a provision in the charter of the old State Bank, prohibiting the creation of any other Bank, during its existence. It is clear, to my mind, that the clause in question, was a palpable violation of that provision in the Bill of

Rights, which declares, that "no man or set of men, are entitled to exclusive, separate public emoluments or privileges from the community, but in consideration of public services." The exclusion of all others, from a participation in the privileges granted to a certain class, by the act incorporating the Bank of Mississippi, was, certainly, granting to them *exclusive privileges;* and, therefore, the advocates of the above position, give to an unconstitutional and void enactment, the power to nullify, another and subsequent enactment, granting like privileges to another class of men.

But does it follow, even if we admit that the charter of the Planter's Bank was unconstitutional, that the bonds issued and sold to purchase stock in that bank, were therefore unconstitutional? Is an act granting privileges to a company to transact the business of banking, identical with an act to issue bonds and purchase stock in a bank? Certainly not. If the State had obtained a loan on her bonds, and then used the money in an unconstitutional manner, would the illegal use of the money at all affect the validity of the bonds, on which it was obtained, or cancel the obligation to pay them? Such a conclusion, it seems to me, would be anything else than logical.

It is also worthy of remark, that before the act supplementary to an act entitled "an act to establish a Planters Bank," approved 16th of December, 1830, was passed, authorising the Governor to issue the first five hundred thousand dollars of bonds, the old bank had compromised the difficulty with the Planter's Bank; thereby relinquishing the supposed contract with the State, and assenting to the incorporation of the latter bank. The existence of the Planter's Bank, and the issuance of the bonds, were, therefore, not in violation of any *existing* contract between the State and the old bank. The argument against the constitutionality of the bonds, founded on this contract, therefore, wholly fails.

In the old constitution no prohibition existed against the issuance of bonds of the State, but by a very clear implication, it was authorised. The 9th section of the 6th article of that instrument, declared, that no bank should be incorporated by the Legislature, without the reservation of the right to the State to subscribe for one-fourth of its capital stock. The union of the State with individuals in the business of banking, being thus sanctioned by the constitution, and placed under legislative action and discretion, the power to raise the money, for the purpose of paying for her stock, by any means not prohibited by the constitution, must necessarily have followed, whether it be by the appropriation of funds already in the treasury, or by a loan for that purpose.

Having shown, as I think, that the bonds were not in violation of the old constitution, we need only refer to the 9th section of the 7th article of the new constitution to prove that they are not in violation of that instrument, but are expressly recognised, and authorised by it. But, even had the bonds been in violation of

the old constitution, their recognition by the new, and the positive authority to issue the further sum, subsequent to its adoption, of one million and five hundred thousand dollars, in my judgment, put the question of the State's liability beyond dispute.

These bonds were sold at a premium, by which the State realized a profit of upwards of two hundred thousand dollars, and this sum constituted the basis of the Sinking fund. In the collection of this fund, which was set apart by the Legislature for the payment of the interest on the bonds, about $95,000 in Auditor's warrants have been received by authority of law. For the last seventeen years our liability has been admitted by numerous acts of the Legislature. Our members of congress, with the approbation of their constituents, have frequently repelled with indignation, the insinuation, that Mississippi would repudiate these bonds; and in view of all these facts, a refusal now, on the part of the State to pay them, would, in my judgment, be, not only a violation of our plighted faith, but would consign the character of the State to infamy and indelible disgrace. No patriotic Mississippian, entertaining these views, can hesitate a moment in coming to the conclusion, that the bonds should, and must be paid, and the character of our noble State sustained

If then, this debt is to be paid, I ask when shall it be done? Our indebtedness on this account is already upwards of three millions of dollars; and the interest every year is adding to this already vast sum, one hundred and twenty thousand dollars. If we delay the payment much longer, all the available resources of the State, without resort to taxation too onerous to be borne, will be insufficient to pay them. Under an exorbitant system of taxation, the value of property would decline, because of the burthens imposed on it, and thousands of our citizens would leave the State, and the proposition of paying by heavy taxation would thus defeat itself.

It is, therefore, manifest that if we ever intend to pay, the only wise policy which we can adopt is to begin immediately.

The next question is, how shall we pay this heavy liability? Can we do so by taxation, without imposing greater burthens on the people than they will consent to bear? The assessments for 1847 amount to about $375,000, from which we may expect to collect of nett revenue about $325,000. In a few years, however, we may expect to realize, at the present rates of taxation, about $350,000 per annum. The average expenditures of the State, by a rigid economy, may not exceed $175,000 per annum, leaving a surplus at the end of each year, of one hundred and seventy thousand dollars. If, from this estimated surplus, we deduct $120,000 a year for the interest on the bonds, we shall have only $55,000 to apply annually to the extinguishment of the principal debt. As upwards of three millions are now due, it will be perceived that if hereafter we meet the accruing interest as it falls due, at this rate of payment, it would take about fifty years to pay off the amount

now due! Are we willing that this debt shall remain unextinguished for this long period? Yet this must be the case if we depend on taxation to pay it, unless we greatly increase the taxes; and as has been already suggested, an extreme high rate of taxation by reducing the value of property and diminishing our population, will defeat the end for which it is imposed. What then is to be done?

After long and anxious reflection, my mind has come to the conclusion that there is but one mode by which we can discharge the debt, without involving the consequences which I have supposed must attend high taxation; and so well satisfied am I of the efficiency of the plan, that notwithstanding some of those for whose opinions I entertain the highest respect, have ridiculed it, I with confidence submit it to your superior wisdom and judgment, and solicit for it your serious consideration.

I propose that we immediately bring into market the 500,000 acres of land granted by the General Government to the State; and that we shall receive in payment for the land gold, silver, Auditor's warrants and bonds of the State issued to take stock in the Planters Bank, and the coupons for interest on the same. I would grant pre-emptions to actual settlers on the land, at a minimum price fixed by law, the privilege of which should be extended for a given time prior to the lands being offered for sale.

From a personal knowledge of a portion of these lands, I recommend that the minimum for the first year shall not be less than eight or ten dollars per acre. Doubtless a large portion of the bonds are in the hands of capitalists, who have bought them at a great depreciation, and who could afford to dispose of them to purchasers of the land at rates by which he could make profitable investments, even at ten dollars per acre. Many tracts which I have seen, I consider cheap at that price.

If it be objected, that a high minimum would exclude the pre-emptor and men of moderate fortune from the purchase of the lands, because of the difficulty in procuring the bonds, I reply, that wherever the land office is located, there the bonds will naturally flow, and our citizens will have no difficulty in procuring them at moderate prices, provided the minimum established be high. A large amount of the bonds is not yet due, and it is very probable that many, for the sake of realising cash upon them now, would sell them for moderate prices.

I would recommend the graduation policy to be adopted, and that each year the minimum be reduced one dollar per acre, with pre-emptions allowed for a given period, after the commencement of each year. Should the minimums be found too high, future legislation can reduce them. In this way, the 500,000 acres of land would probably extinguish the bonds, and in a few years we should be free from this alarming foreign debt.

The amount for which the lands would sell, would of course be placed to the debit of the State, and to the credit of the internal improvement fund, bearing interest or not, as the people might choose. If we pay the bonds by taxation, even should the taxes be raised as high as they could be, without decreasing the value of property or diminishing our population, the principal and interest now due, and the continually accruing interest would, before the debt would be extinguished, drain from the country from six to ten millions of dollars.

It would diminish the aggregate wealth of the State by that amount; but if we sell the lands and extinguish the debt by that means, none of the wealth now in the State will be withdrawn; no annual drain from the resources will be going on; we shall have the debt paid, and not a dollar in increased taxes will be drawn from the pockets of the people. It is true, that our internal improvement fund will be much larger than it would be, if cash exclusively, were demanded for the lands.

It may be said that this scheme only changes the debt without extinguishing it. This is admitted; but then there is this difference, we can pay interest or not as we please, without any forfeiture of obligations. Should we conclude not to touch the principal, but keep it as a perpetual fund, we can so regulate the rate of interest, to be paid annually, as not to exceed $175,000 per annum, or a sum equal to our present estimated surplus; and then without increasing our present taxes one dollar, we would have the splendid sum of one hundred and seventy-five thousand dollars annually at our disposal, to improve our rivers, make rail roads, and all such other improvements as the people might require.—Instead of a drain from the State diminishing the proceeds of our industry annually, several hundred thousand dollars, every dollar expended, would return to the people, probably a hundred per cent in the increased facilities afforded to travelling, commerce, and the improvement in the value of their property. Instead of being rendered poorer, as a payment of these bonds by taxation would make us, our comforts, means of education, and of individual and general prosperity and happiness, would be increased.

It has been contended by some that the sale of the lands for bonds would be a diversion of the fund from the object contemplated by Congress in making the grant. To this I reply, that the Sinking and Seminary Funds are trust funds, and for years we have been receiving debts of the State, in the form of Auditor's warrants for those funds. Does any person suppose that we have diverted the Seminary Fund from the object of Congress, by selling the Seminary lands for Auditor's warrants? None I presume. If not, then it would be no diversion of the internal improvement fund, to sell the 500,000 acres of land for the indebtedness of the State in the form of Planters Bank Bonds. Were we to sell the lands for cash alone, the State would stand debtor to the fund to the

amount of the sale, and whenever she expended any thing for internal improvement, she would be credited with the amount on account of that fund. The same thing would result if we take the bonds for the land, and the only difference in the case would be, our internal improvement fund would most likely be larger under the latter scheme than under the former.

There has not been a case, it is confidently believed, in any civilized nation, where the reception of the liabilities of the government, as cash in the payment of any trust fund, has been considered a diversion of such fund from the purpose intended. The Republic of Mexico owes citizens of the United States several millions of dollars. Should Mexico tender to the United States her treasury notes, or any of our national stocks, in payment, would it be thought a diversion of the funds from the purpose of paying our citizens, for the United States to receive them? But we have another case in our own State, directly in point. The United States, by the Chickasaw treaty, became trustee for the sale of the Chickasaw lands, and has never refused to receive treasury notes in payment, and charge them as cash received on account of the Chickasaw trust fund. Has the United States, therefore, diverted this trust fund from the purposes contemplated by the treaty? If so, she, as the donor of the 500,000 acres of land to Mississippi, has set us an example and established a precedent, which, if we follow, she is estopped from complaining by her own act. We are, therefore, without any danger of complaint from the United States, at liberty to "make a virtue of necessity;" and while at the same time that we pay off an overwhelming debt, which we can pay in no other way, we will be creating a magnificent fund for the improvement of our condition, in the development of the vast, and as yet, unproductive resources of our State, and advancing all the great interests of the people.

Should the Legislature agree with me in opinion upon this subject, I would suggest that it might be proper to allow pre-emptors to pay for their homes, by instalments, the State reserving a lein on the land; and I would further suggest that if the proposed scheme be adopted, the Legislature might, probably, with safety at its present session, provide for devoting the anticipated surplus arising from the revenues of the present year, or a portion of it to objects of internal improvement. I would however recommend great caution, and the most mature deliberation on the part of the Legislature, in commencing any system of internal improvement. Our appropriations should always be kept within our income, and no improvement projected, which, after the most mature deliberation, does not promise to be of essential advantage to the State.

In connection with this subject, the levying of the Mississippi river, I consider a matter of great importance, the increased value of the lands of the State, the improvement of the health of the people, the increased facility for making roads in the bottom, and

affording intercommunication to the inhabitants, and transportation of the products of their industry, the emigration to, and settlement of this interesting part of the State, and consequent increase of its wealth and revenues, all recommend this enterprise to the serious attention of the Legislature.

To effect this object, I recommend that a tax be levied on the lands lying in the bottom, above the mouth of the Yazoo river, except school and United States lands, whether belonging to the State or individuals; the State paying her portion out of the internal improvement fund.

I would recommend the repeal of the forthcoming bond law, which has so long been a fruitful source of litigation, and the cause of the ruin of many of our best citizens, by involving them in debts without the least chance of profit. I hold that those who are to be benefitted by a contract should bear its risks, and not be permitted to involve others in ruin by taking advantage of their sympathies. I would also recommend, that in all cases of indictment or presentment by a grand jury, where no prosecuter appears, the District Attorney shall be required to enter his name as prosecutor; and that no indictment shall fail for want of a prosecutor. Under the present law, crime often escapes punishment through this defect.

I would also recommend, that the jurisdiction of our Chancery Courts, be confined strictly, to cases in which there is no remedy at law; and that matters of fact should be submitted to a jury. Under the existing laws, this court is likely to supersede, to a great extent, the trial by juries of the country, and place at the discretion of a judge, the decision of questions of law, of equity, and of fact, upon which depend the rights, to a considerable portion of the property of the State.

From information of a reliable character, the 2d regiment of Mississippi volunteers, are in a state of destitution, which imperatively calls for assistance; therefore, I shall heartily concur with the Legislature in furnishing them the relief required; and I have no doubt but that the amount so expended, will be refunded to the State by the Government of the United States. Fully concurring with the recommendations of my predecessor in his late message, with the exceptions embraced in this communication, I hope they will receive your approval, and that measures to carry them into effect, may be by you adopted.

JOSEPH W. MATTHEWS.

EXECUTIVE CHAMBER,
January 25th, 1848.

On motion of Mr. Labauve,

Said message was laid on the table.

On motion of Mr. Wilborne,

Two thousand copies of said message were ordered to be printed.

Mr. Labauve, on his motion,

Had leave to withdraw the petition of William Hallibruton.

On motion of Mr. Wilborne,

The Senate adjourned.

THURSDAY, JANUARY 27, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Singleton, from a select committee, made the following report, to-wit:

MR. PRESIDENT—The select committee to whom was referred, the bill entitled a bill, for the relief of James S. Prichard, John B. Moore, and Nathan B. Whitehead, have had the same under consideration. and have instructed me to report to the Senate that they have examined the books of the Auditor's office, and find standing there to the credit of Samuel Hamblin, the sum of two hundred and twenty-eight dollars and seventy-three cents, amount overpaid by him as sheriff and tax collector of Madison county, for the year 1845: they have also examined into the claim of said Prichard, Moore, and Whitehead to said sum, and find the same regularly assigned and transferred to them by said Hamblin: they have therefore directed me to report the bill back to the Senate without amendment, and recommend its passage.

On motion of Mr. Singleton,

The report was received.

On the further motion of Mr. Singleton,

Said bill was considered as engrossed, and read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have concurred in the amendment made by the Senate, to the resolution of the House, directing the Librarian to furnish the Auditor of Public Accounts with one copy of the acts of the legislature for each session

from 1840 to 1846, inclusive, and also one copy of Howard and Hutchinson's digest.

The House have concurred in the resolution of the Senate, appointing a joint select committee of three on the part of Senate, and —— on the part of the House, to enquire into the condition of business on the dockets of the high court of errors and appeals, and of the superior court of chancery, &c., and have filled the blank with the number five, and have appointed on the part of the House, Messrs. Simrall, Cushman, Hamer, Houston, and Ford.

The House of Representatives have receeded from their disagreement to the amendment made by the Senate, to the resolution from the House, appointing a joint select committee to re-organize the 6th and 7th judicial districts.

The House have concurred in the amendments made by the Senate to a House bill, entitled an act to incorporate the town of Delta, in the county of Coahoma.

The House have passed bills of the following titles:

A bill to be entitled,

An act to remove the seat of justice of the county of Monroe from the town of Athens, and permanently locate it in the town of Aberdeen.

A bill to be entitled,

An act to re-organize the judicial districts of this State and for other purposes.

And have made an amendment thereto by way ryder;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed a Senate bill entitled an act, to appropriate money for the relief of the Mississippi Volunteers now in Mexico,

And have made sundry amendments thereto by way of a new bill;

In which I am instructed to desire the concurrence of the Senate.

The House have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act for the relief of Henry Flowers, late tax assessor of Amite county.

A bill to be entitled,

An act to refund to John Y. Robinson, late tax collector of Amite county, a sum therein named.

A bill to be entitled,

An act for the relief of James W. Wade, late superintendent of the Penitentiary,

A bill to be entitled,

An act to reduce the number and pay of the officers of the legislature.

A bill to be entitled,

An act to incorporate the Columbus Female Institute in the town of Columbus, in the county of Lowndes;

And have also adopted the following resolution:

Resolved, (the Senate concurring,) that the Auditor of Public Accounts, be and he is hereby authorized and empowered to purchase fuel for the use of the superior court of chancery, and the high court of errors and appeals:

In which I am instructed to desire the concurrence of the Senate.

Mr. White presented the petition of Joab R. Richards,

Which on his motion,

Was referred to a select committee of three;

Messrs. White, Singleton, and Lake, were appointed said committee.

Mr. Labauve, from the standing committee on propositions and grievances, to whom had been referred the petition of Israng and Wagner, reported

A bill to be entitled,

An act for the relief of Israng and Wagner, and recommend its passage;

Which was read the first time.

On motion of Mr. Labauve,

The report was received.

Mr. Labauve moved to suspend the constitutional rule, and read the bill the second time forthwith,

Which was lost.

Mr. Labauve, from the standing committee on propositions and grievances, made the following report, to-wit:

Mr. President—The standing committee on propositions and grievances, to whom was referred the petition of J. Carlile, have had the same under consideration, and have instructed me to report, that in the opinion of the committee there is no legislative action necessary in the case of the petitioner, the law now in force

being as they think applicable to the subject matter in the petition, and the remedy is with the court of probates in the county: therefore ask to be discharged from the further consideration of the same, all of which is respectfully submitted.

On motion of Mr. Labauve,

The report was received and agreed to.

Mr. Beene, from the standing committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills have examined a bill of the following title, to-wit,

A bill to be entitled,

An act to transcribe into suitable books, the records of the courts of probate of the county of De Soto,

And have found the same correctly engrossed.

Mr. Labauve, from the standing committee on propositions and grievances, to whom was referred the petition of sundry citizens of Coahoma county;

Reported a bill of the following title and recommended its passage:

A bill to be entitled,

An act to define the boundary line of the counties of Coahoma and Tunica.

On motion of Mr. Labauve,

The report was received;

And said bill was read the first time.

Mr. Alcorn moved to reject said bill,

Which was lost.

Mr. Cannon asked and obtained leave to the introduction of

A bill to be entitled,

An act to change the time of holding the courts of the sixth judicial circuit court district;

Which was read the first time.

On motion of Mr. Cannon,

The constitutional rule was suspended;

And said bill was read the second time forthwith by title.

Mr. Guion offered the following amendment, to-wit:

Amend by adding at the end of the first section, the words "the county of Sunflower is hereby attached to said district, and the courts therein shall be held on the ninth after the fourth Mondays

of March and September, and shall continue at each term six judicial days if business so long require and no longer."

Mr. Lake moved to lay said bill and the amendment on the table,

Which was lost.

The question was then had on the adoption of said amendment,

Which was lost.

On motion of Mr. Cannon,

Said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Ramsay asked and obtained leave to the introduction of

A bill to be entitled,

An act to amend an act, entitled an act, to incorporate the town of Shieldsboro, and for other purposes;

Which was read the first time.

On motion of Mr. Ramsay,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title; and

On the further motion of Mr. Ramsay,

Said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to incorporate Yazoo Royal Arch Chapter No. 8, of free and accepted Masons, in the town of Yazoo City;

An act to incorporate the Columbus Artillery, in the city of Columbus, Mississippi;

An act to incorporate Camden Lodge No. 74, of free and accepted Masons, in the county of Madison;

An act to incorporate the Scott Lodge No. 80, of free and accepted Masons;

An act to incorporate the Hebrew Ketusha, a benevolent society of the city of Natchez;

An act to authorize the police court of the county of Itawamba to levy a special tax;

An act to incorporate Covenant Lodge No. 20, of the Independent Order of Odd Fellows;

An act to incorporate the German Benevolent Society of Natchez;

An act to incorporate Columbus Division No. 9, of the Sons of Temperance, in Columbus, Mississippi;

An act to change the time of holding the probate court of the county of Harrison;

An act to incorporate Vicksburg Royal Arch Chapter No. 3.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to repeal an act entitled an act to incorporate the town of Commerce, approved February 15th, 1839; and an act entitled an act to amend an act entitled an act to incorporate the town of Commerce, approved February 3d, 1840;

An act to incorporate the town of Delta, in the county of Coahoma;

A joint resolution inviting General Zachary Taylor and General John A. Quitman, to visit the Capitol of Mississippi during the present session of the Legislature;

And have found the same correctly enrolled.

Mr. Pettus from the select committee to whom had been referred

A bill to be entitled,

An act to impose a penalty on justices of the peace for violating the law in regard to their jurisdiction,

Reported a bill of the following title in lieu thereof, and recommend its passage:

A bill to be entitled,

An act to regulate the proceedings in justices courts in certain cases.

On motion of Mr. Pettus,

The report was received and agreed to.

On the further motion of Mr. Pettus,

The bill was considered as engrossed,

And read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Guion offered the following resolution, to-wit;

Resolved, (the House concurring,) that the State Printers be authorized to pre-pay the postage on public documents sent off through the post office at Jackson during the present session of the

Legislature, and to render an account of the same, with the receipt of the Post-master, in their bill for printing;

Which was read.

Mr. Bradford offered the following amendment, to-wit:

At the conclusion of the sixth line after the word Legislature, insert as follows:

"Sent by the members thereof."

The question being had on the adoption of said amendment,

It was decided in the affirmative.

On motion of Mr. Greer,

The rule requiring joint resolutions to lie over one day,

Was suspended;

And said resolution, as amended, adopted forthwith.

Mr. Lake offered the following resolution, to-wit:

Resolved, that (the House concurring,) a joint select committee be raised, to consist of three on the part of the Senate, and on the part of the House, who shall be charged with the duty of enquiring into the necessity and expediency of creating a new judicial district in this State, in order the more effectually to remedy the inconveniences, and to extend equal justice to that portion of the State bordering on the Mississippi river;

Which was read,

And by rule lies over one day.

The Senate proceeded to the consideration of the orders of the day.

On motion of Mr. Briscoe,

The consideration of

A bill to be entitled,

An act to provide for the call of a Convention of the people of this State, to form a new Constitution,

Was postponed until Monday next, in committee of the whole.

A bill to be entitled,

An act to abolish capital punishment in this State,

Was read the third time.

Mr. Alcorn offered the following amendment, by way of ryder, to-wit:

"*Provided however*, that all crimes heretofore committed, shall be tried and punished under the laws now in force;"

Which was adopted.

On motion of Mr. Singleton,

Said bill was indefinitely postponed.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Beene, Cannon, Catching, Gray, Guion, Harrison, Hodges, Kennedy, Lake, McAffee, Price, Pettus, Singleton and Wilborne—15 votes.

NOES—Messrs. Alcorn, Bradford, Briscoe, Carter, Davis, Dabney, Greer, Johnson, Labauve, McDugald, Pegues, Ramsay, Sharpe and White—14 votes.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—I am instructed to inform the Senate that the House of Representatives have adopted the following preamble and resolution:

Whereas, religion, morality and knowledge being necessary to good government, the preservation of liberty and the happiness of mankind, schools and the means of education shall forever be encouraged in this State; therefore,

Resolved, (the Senate concurring,) the committee on education be instructed to report a bill levying a tax of not less than 25 per cent. on the State tax, for the purpose of aiding a system of common schools in this State;

In which I am instructed to desire tee concurrence of the Senate.

A bill to be entitled,

An act to transcribe into suitable books the records of the court of probates of the county of Desoto,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Harrison called for the consideration of a bill from the House, to be entitled,

An act to remove the seat of justice of the county of Monroe, from the town of Athens, and permanently locate it in the town of Aberdeen;

Which was read the first time.

On motion of Mr. Harrison,

The constitutional rule was suspended,

And said bill was read the second time forthwith.

On the further motion of Mr. Harrison,

The rule was further suspended,

And said bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Cannon called for the consideration of the House resolution authorizing and empowering the Auditor of Public Accounts to purchase fuel for the use of the Superior Court of Chancery and the High Court of Errors and Appeals;

Which was read; and

On motion of Mr. Labauve,

Concurred in.

On motion of Mr. Beene,

The Senate adjourned.

FRIDAY, JANUARY 28th, 1848.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Hodges presented the petition of W. M. Parrot;

Which was read; and,

On motion of Mr. Hodges,

Referred to the committee on claims.

Mr. Lake, from the standing committee on the judiciary, made the following report to-wit:

MR. PRESIDENT—The standing committee on the judiciary, to whom was referred a bill entitled an act to authorize the judges of the Circuit courts in this State, to employ on bebalf of the State, counsel, in particular cases, have had the same under consideration, and have directed me to report that it ought not to become a law. The people have reserved to themselves in their constitution, the right of selecting their own prosecuting attorneys, and as we are bound to presume they will always select good ones, assistant prosecutors are not necessary. If it shall sometimes occur that a prosecuting attorney shall be interested in the defence, and on that account, excluded from the prosecution, there will be no difficulty in the court's obtaining the sesvices of some other suitable member of the bar, who will rely upon the justice of the Legislature for his remuneration. Besides these reasons, the committee are of opin-

ion, that the bill passed into a law, would be liable to be much abused, and therefore, report against it.

On motion of Mr. Labauve,

The report was received and agreed to.

The following message was received from the House of Representatives, through their clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representativs has signed:

An act to repeal an act entitled an act to incorporate the town of Commerce, approved February 15th, 1839, and an act entitled an act to amend an act entitled an act to incorporate the town of Commerce, approved February 3d, 1840;

An act to incorporate the town of Delta in the county of Coahoma;

Joint resolutions inviting Gen. Zichary Taylor and Gen. John A. Quitman to visit the capital of Mississippi during the present session of the Legislature;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed bills from the Senate of the following titles:

A bill to be entitled,

An act concerning the Probate court of De Soto county;

A bill to be entitled,

An act for the relief of Margaret P. Baskerville;

A bill to be entitled,

An act for the relief of Joseph D. Foster.

The House have passed a bill to be entitled,

An act to attach fractional township two, of range twelve west, to Tunica county;

In which I am instructed to desire the concurrence of the Senate.

The President signed the bills in said message mentioned.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have examined a bill of the following title, to-wit:

An act for the relief of Joseph D. Foster;

And have found the same correctly enrolled.

Mr. Lake, from the standing committee on the judiciary, to

whom had been referred a bill to be entitled,

An act to regulate the collection of debts arising from rents and leases,

Reported that the same ought not to become a law.

Mr. Lake moved to receive and agree to said report.

Mr. Cannon called for a division of the question;

Which was had first upon receiving said report; and,

Decided in the affirmative.

The question was next had upon agreeing to said report;

Which was decided in the affirmative.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Boone, Beene, Bradford, Cannon, Carter, Catching, Davis, Dabney, Gray, Greer, Guion, Harrison, Hodges, Johnson, Lake, Labauve, McAffee, Price, Pegues, Pettus, Ramsay, Singleton, Stewart, White and Wilborne—27 votes.

NOES—Messrs. Briscoe, Kennedy, McDugald and Sharpe—4 votes.

Mr. Lake, from the standing committee on the judiciary, to whom had been referred a bill to be entitled,

An act to regulate the practice and proceedings in the High Court of Errors and Appeals of the State of Mississippi,

Reported the bill back to the Senate, and recommend it to the favorable consideration of the Senate, except the third and fifth sections, which the committee think should be struck out.

Mr. Lake moved to receive and agree to said report.

Mr. Guion called for a division of the question;

Which was had first upon receiving said report, and decided in the affirmative.

The question was next had upon agreeing to said report;

And decided in the affirmative.

Mr. Lake, from a standing committee on the judiciary, to whom had been referred a bill to be entitled,

An act to authorize the Judges of the Probate courts of the various counties of this State, to make allowances to executors and administrators in certain cases,

Reported that in the opinion of the committee, it is unnecessary to pass the bill.

On motion of Mr. Lake,

The report was received and agreed to.

Mr. Labauve, from the standing committee on propositions and grievances, to whom was referred the petition of sundry citizens of Warren county, neighbors of William Nowland,

Reported unfavorable to the petition, and asked to be discharged from the further consideration thereof.

On motion of Mr. Labauve,

The report was received and agreed to.

Mr. White, from a select committee, to whom had been referred the petition of Jacob R. Richards,

Reported a bill to be entitled,

An act to establish a ferry across the Yazoo River, at the City of Yazoo in Yazoo county;

Which was read the first time.

On motion of Mr. White,

The report was received.

On motion of Mr. White,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. White,

Said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Bradford asked and obtained leave for the introduction of

A bill to be entitled,

An act to incorporate Pontotoc Lodge No. 81, of Free and Accepted Masons;

Which was read the first time.

On motion of Mr. Bradford,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Bradford,

Said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Guion asked and obtained leave for the introduction of

A bill to be entitled,

An act to incorporate Jackson Division No. 34, of the Sons of Temperance, in Jackson, Hinds county;

Which was read the first time.

On motion of Mr. Guion,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Guion,

Said bill was considered as engrossed, and the rule further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed

An act for the relief of Joseph D Foster;

Which is herewith presented to the Senate for the signature of the President.

The President signed the bill in said message mentioned.

Mr. Davis asked and obtained leave to the introduction of

A bill to be entitled,

An act to provide for the election of a collector of taxes for the county of Amite, and for other purposes;

Which was read the first time.

On motion of Mr. Davis,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

Mr. Cannon offered the following amendment, to-wit:

Amend the second section by adding the following proviso—"*Provided*, the expenses of said election shall be paid out of the county treasury;

Which was adopted.

Mr. Labauve moved to refer said bill to the committee on the judiciary.

Mr. Guion called for a division of the question,

Which was had, first upon referring the bill;

Which was lost.

Mr. Labauve moved to lay said bill on the table;

Which was lost.

On motion of Mr. Stewart,

Said bill was considered as engrossed, the rule further suspended,

And the bill, as amended, read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Singleton called for the consideration of

A bill to be entitled,

An act to extend the rail road eastwardly beyond Jackson:

The Senate forthwith resolved itself into committee of the whole on said bill;

And after some time spent therein, the committee rose, and

Mr. Stewart reported progress, and asked leave to sit again on Monday next.

On motion of Mr. Stewart,

The report was received and leave granted.

Mr. Beene, from the standing committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills, have examined bills of the following titles, to-wit:

A bill to be entitled,

An act to change the time of holding the courts of the sixth judicial circuit court district;

A bill to be entitled,

An act to amend an act entitled an act to incorporate the town of Shieldsborough, and for other purposes;

And have found the same correctly engrossed.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

Mr. President—I am instructed by his Excellency the Governor to inform the Senate that he has approved and signed the following bill:

An act for the relief of Joseph D. Foster, approved this 28th January, 1848.

The Senate proceeded to the consideration of the orders of the day.

A bill from the House of Representatives, to be entitled,

An act to amend an act entitled an act to reorganize the judicial districts of this State, and for other purposes, &c., with its ryder,

Was read the first time.

On motion of Mr. Davis,

The constitutional rule was suspended,

And said bill and ryder, was read the second time forthwith by title.

On motion of Mr. Stewart,

The rule was further suspended,

And said bill and the ryder, was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Pettus called for the consideration of the following preamble and resolution from the House:

Whereas, religion, morality and knowledge being necessary to good government, the preservation of liberty, and the happiness of mankind, schools and the means of education shall forever be encouraged in this State; therefore,

Resolved, (the Senate concurring,) the committee on education be instructed to report a bill levying a tax of not less than twenty-five per cent. on the State tax, for the purpose of aiding a system of common schools in this State;

Which was read and concurred in.

Mr. Pettus called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Alcorn, Briscoe, Carter, Catching, Davis, Guion, Lake, Labauve, McDugald, McAffee, Pegues, Pettus, Ramsay, Singleton, Sharpe, Stewart, White and Wilborne—18 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Dabney, Gray, Greer, Hodges, Kennedy, Price and Cannon—11 votes.

On motion of Mr. Guion,

The Senate adjourned.

SATURDAY, JANUARY 29, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Hodges presented the petition of L. D. W. Duckworth,

Which on his motion;

Was referred to the committee on claims.

Mr. Boone presented the petition of sundry citizens of north Mississippi; which,

On motion of Mr. Boone,

Was referred to the committee on internal improvements.

Mr. Boone presented the claim of David Gallaher; which,

On motion of Mr. Boone,

Was referred to the committee on claims.

Mr. Guion presented the petition of Henry Mattauer; which,

On his motion,

Was referred to the committee on claims.

Mr. Labauve asked and obtained leave for the introduction of

A bill to be entitled,

An act to repeal an act entitled an act to amend an act to incorporate the town of Hernando, in the county of De Soto, approved February 10th, A. D., 1842;

Which was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And said bill was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

The bill was ordered to be engrossed for a third reading on Monday next.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to remove the seat of justice of the county of Monroe, from the town of Athens, and permanently locate it in the town of Aberdeen;

An act to amend an act entitled an act to reorganize the judicial districts of this State, and other purposes;

An act for the relief of Margaret P. Baskerville;

An act concerning the Probate court of De Soto county;

And have found the same correctly enrolled.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

MR. PRESIDENT—The committee on engrossed bills, have examined bills of the following titles, to-wit:

A bill to be entitled,

An act to establish a ferry across Yazoo River, at the city of Yazoo, in Yazoo county;

A bill to be entitled,

An act to incorporate Pontotoc Lodge No. 81, of Free and Accepted Masons;

And have found the same correctly engrossed.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr President—The House of Representatives have passed bills from the Senate, of the following titles, to-wit:

A bill to be entitled,

An act to change the time of holding the Probate courts in the counties of Clark and Jasper;

A bill to be entitled,

An act to relinquish to the United States jurisdiction over a lot of ground, as a site for the erection of Biloxi light house;

A bill to be entitled,

An act for the relief of Archibald Milloy of Covington county;

And have made an amendment to the last mentioned bill, in which I am instructed to desire the concurrence of the Senate.

The have passed a bill to be entitled,

An act for the relief of Emily Thompson;

In which I am instructed to desire the concurrence of the Senate.

They have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to establish a new county in this State, to be called the county of Quitman;

A bill to be entitled,

An act to incorporate the town of Oakland in Yalobusha county;

A bill to be entitled,

An act granting a charter for a ferry at Barton;

A bill to be entitled,

An act to amend the constitution of this State.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to repeal an act entitled an act to incorporate the town of Commerce, approved February 15th, 1839; and,

An act entitled an act to amend an act entitled an act to incor-

porate the town of Commerce, approved February 3, 1840;

An act to incorporate the town of Delta in the county of Coahoma.

Mr. Alcorn asked and obtained leave to the introduction of

A bill to be entitled,

An act to define the line between De Soto and Tunica counties;

Which was read the first time.

Mr. Kennedy, from a select committee, to whom had been referred a bill to be entitled,

An act to provide for the sale of lands purchased by the State at tax sales,

Reported said bill back to the Senate with an amendment thereto, and asked to be discharged from the further consideration thereof.

On motion of Mr. Kennedy,

The report was received and agreed to;

And the bill as amended, read the first time.

Mr. Harrison asked and obtained leave to the introduction of

A bill to be entitled,

An act to provide for the payment of the Planters bank bonds and coupons, issued by the State on account of the Planters bank;

Which was read the first time.

On motion of Mr. Harrison,

The constitutional rule was suspended,

And said bill was read the second time forthwith, by title.

Mr. Guion moved to print two hundred and fifty copies of said bill, and commit the same to the whole house for Wednesday next.

Mr. Labauve moved to commit said bill to the whole house for Wendesday week, and print two hundred copies of said bill.

A division of the question was called for;

Which was had;

First upon printing two hundred copies of said bill;

Which was decided in the affirmative.

The question was next had on committing said bill to the whole house for Wednesday week;

Which was lost.

On motion of Mr. Pettus,

Said bill was committed to the whole house, and made the order of the day for Saturday, (this day) week.

Mr. Briscoe asked and obtained leave to the introduction of

A bill to be entitled,

An act for the relief of James Bond of the county of Choctaw, as one of the securities of Richard S. Graves, formerly Treasurer of this State;

Which was read the first time.

On motion of Mr. Briscoe,

The constitutional rule was suspended,

And said bill was read the second time forthwith, by title.

On motion of Mr. Briscoe,

Said bill was referred to the committee on the judiciary.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act to attach fractional township two of range twelve west, to Tunica county;

Was read the first time,

On motion of Mr. Labauve,

The constitutional rule was suspended,

And said bill was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

The rule was further suspended,

And said bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

The amendments made by the House of Representatives, to a Senate bill to be entitled,

An act to appropriate money for the relief of the Mississippi Volunteers now in Mexico,

Were read.

Mr. Labauve moved a concurrence therewith.

Mr. Alcorn called for a division of the question;

Which was had;

First upon the adoption of the preamble;

And the question being had on the adoption thereof,

It was decided in the affirmative.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Catching, Davis, Dabney, Gray, Greer, Harrison, Hodges, Kennedy, Labauve, McDugald, McAffee, Pegues, Pettus,

Singleton, Sharpe and Wilborne—23 votes.

Noes—Messrs. Alcorn, Guion, Lake, Stewart and White—5 votes.

On motion of Mr. Boone,

The Senate concurred unanimously in the amendments made by the House to said bill.

Mr. Boone, from a joint select committee, made the following report, to-wit:

Mr. President—The joint select sub committee, appointed to wait on Generals Z. Taylor and John A. Quitman, and to deliver them copies of the resolutions of the Legislature of this State, inviting each of these distinguished gentlemen to visit the city of Jackson during the present session of the Legislature, to partake of the hospitality of this State, have waited upon Gen. Taylor in person, at his residence in Louisiana, and delivered to him a copy of said resolutions, to which he replyed in writing, which is herewith submitted. The committee would further state, they were unable to meet Gen. Quitman, owning to his absence from this State and his home. The committee would further state, that their reception from Gen. Taylor, was most hospitable and cordial, and highly gratifying to the committee. The committee expresses their regret at not being able to meet with Gen. Quitman, but have discharged this duty as far as circumstances would admit. They could only, under the circumstances, send the said resolutions to the family of General Quitman, by one of their number, Mr. Stanton, (who has not yet returned,) by whom the committee addressed him a note, to know at what time it would suit his convenience to visit the city of Jackson, as the guest of the State.

The writing submitted in the above report of the committee, is as follows, to-wit:

Baton Rouge Louisiana, Jan. 24th, 1848.

Gentlemen—I have had the honor to receive by your hands a copy of the preamble and resolutions recently passed by both houses of the Legislature of Mississippi, in which I am invited in the most flattering terms, to visit your capital as a guest of your State, during the present session of your assembly. I should do violence to my own feelings, were I to omit this opportunity of acknowledging through your distinguished body, to my fellow-citizens of Mississippi, my heart-felt gratitude, not only for the eminent services which they rendered me at an important crisis of my late ser-

vice in Mexico, but for the bountiful hospitality, and for the many acts of kindness which it has been my good fortune to receive at their hands; and I beg, therefore, that you will convey to your honorable body, an expression on my behalf, of my high sense of these obligations, and to offer them my grateful acknowledgements, for the great honor which they have been pleased, in so distinguished a manner, to confer upon me by the resolutions before me. I deeply regret, however, to inform you that I deem it to be improper, under the circumstances of my present leave of absence from duty, to absent myself from this place and its vicinity, and that I am therefore, constrained, with great reluctance, to decline the kind and hospitable invitation of your Legislature.

With my best wishes for your success, and with sentiments of the highest respect, I remain, gentlemen,

Your obliged and obdient servant,

Z. TAYLOR.

Messrs. Boone, Henry,
Guion, Stanton,
Stewart, Simrall and
Wooldridge, Cnshman,

Committee.

On motion of Mr. Boone,

The report was received.

The Senate resolved itself into committee of the whole on a bill to be entitled,

An act to prohibit the circulation of foreign bank notes in this State;

And after some time spent therein, the committee rose; and,

Mr. Lake reported said bill back with sundry amendments.

On motion of Mr. Lake,

The report was received.

Mr. Guion offered the following amendment to the report of the committee of the whole:

"Section . *Be it further enacted*, that it shall not be lawful for any person or persons in this State, after the first day of January next, to offer to pass or put in circulation, any treasury note of the United States' Treasury purporting to be for the payment of money;"

And the question being had on the adoption thereof,

It was lost.

Mr. Guion called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Alcorn, Gray, Guion, Stewart and White—5 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Davis, Dabney, Greer, Harrison, Kennedy, Lake, Labauve, McDugald, McAffee, Pegues, Pettus, Ramsay, Singleton, Sharpe and Wilborne—22 votes.

Mr. Dabney offered the following amendment, to-wit:

Amend by adding an additional section—

Section . *Be it further enacted*, that this act shall not be so construed as to prevent any person or persons indebted to any bank at the date of its passage, from paying off and discharging such debt in the bills of said bank;

Which was adopted.

On motion of Mr. Labauve,

Said report as amended, was agreed to.

On the further motion of Mr. Labauve,

Said bill as amended, was ordered to be engrossed for a third reading on Monday next.

The following message was received from his Excellency, the Governor, through his private Secretary, to-wit:

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to deliver a message to the Senate in writing.

January 29th 1848.

The message is as follows, to-wit:

To the Senate:

I nominate Samuel Matthews to be State Commissioner, under "an act to agpoint a State Commissioner, and for other purposes, approved February 24th, 1844," to take effect from and after the 24th February next.

J. W. MATTHEWS.

Executive Chamber, January 29th, 1848.

On motion of Mr. Ramsay,

Said message was laid on the table.

On motion of Mr. Greer,

The Senate adjourned.

MONDAY, JANUARY 31, 1848.

The Senate met pursuant to adjournment.

The Journal of Saturday was read.

Mr. Guion presented the claim of J. B. Haughton; which

On his motion,

Was referred to the committee on claims.

Mr. Stewart presented the claim of J. B. Nevitt;

Which, on his motion, was referred to the committee on claims.

Mr. White asked and obtained leave to the introduction of

A bill to be entitled,

An act to incorporate the Wardens and Vestrymen of Trinity Church, in Yazoo City;

Which was read the first time.

On motion of Mr. White,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. White,

Said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Boone presented the petition of J. Graham; which

On his motion,

Was referred to the committee on propositions and grievances.

The following message was received from the House of Representatives, through their clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to authorize the boards of police of the counties of Jackson, Harrison and Hancock, to grant license to individuals to erect and establish wharves in said counties, and for other purposes;

A bill to be entitled,

An act to incorporate the board of trustees of the Odd Fellows Hall at Natchez;

A bill to be entitled,

An act to incorporate Louisville Lodge No. 75, of free and accepted Masons, in the town of Louisville;

A bill to be entitled, an act to incorporate the Grand Royal Arch Chapter of Mississippi;

A bill to be entitled,

An act to authorize the circuit court of Leake county to sell certain judgments rendered therein, for the costs of suit;

A bill to be entitled,

An act for the relief of William D. Wilkinson, of the State of New York;

A bill to be entitled,

An act to amend an act to incorporate the Canton and Jackson Rail Road Company;

A bill to be entitled,

An act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, and other societies and companies;

Also, a memorial and resolutions of the Legislature of the State of Mississippi, to the Congress of the United States;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed bills from the Senate, of the following titles:

A bill to be entitled,

An act to incorporate Jackson Division No. 34, of the Sons of Temperance, in Jackson, Hinds county;

A bill to be entitled,

An act to provide for the election of a collector of taxes for the county of Amite, and for other purposes;

A bill to be entitled,

An act to transcribe into suitable books the records of the court of probates of the county of Desoto;

A bill to be entitled,

An act to authorize Henry L. Hampton to erect a mill-dam;

A bill to be entitled,

An act to incorporate the Canton Male Academy, in the county of Madison;

A bill to be entitled,

An act to amend an act, to incorporate the Grenada Bridge and Turnpike Company;

A bill to be entitled,

An act to change the time of holding the court of probates of Issaquena county:

A bill to be entitled,

An act to divide the 51st regiment of the Mississippi militia, of Desoto county;

A bill to be entitled,

An act to incorporate Brandon Division No. 7, of the Sons of Temperance, in the town of Brandon, Rankin county, Mississippi;

A bill to be entitled,

An act to amend an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as the same relates to the counties of Wilkinson and Franklin;

A bill to be entitled,

An act to authorize Henry S. Caulking, his heirs and assigns, to establish and keep a ferry across the Mississippi river at Rodney:

And have concurred in the resolution of the Senate authorizing the State Printers to pre pay the postage on public documents sent off through the post office at Jackson, during the present session of the Legislature by the members thereof, and to render an account of the same, with the receipt of the Post-master, in their bill of printing.

The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to organize and establish circuit courts and to define their powers and jurisdiction in law and equity, approved 2d March, 1833;

A bill to be entitled,

An act to enable married women whose husbands have been convicted of infamous offences, to obtain divorce from the bonds of matrimony;

A bill to be entitled,

An act requiring members of board of police to act as overseers of the poor;

A bill to be entitled,

An act to repeal all laws now in force authorizing the redemption of real estate sold under executions, decrees in chancery, and deeds of trust;

A bill to be entitled,

An act to amend the law in relation to attachments;

A bill to be entitled,

An act concerning divorces, passed June 14, 1822.

The Speaker of the House of Representatives has signed,

An act concerning the probate court of Desoto county;

An act for the relief of Margaret P. Baskerville;

An act to remove the seat of justice of the county of Monroe, from the town of Athens, and permanently locate it in the town of Aberdeen;

An act to amend an act entitled an act to re-organize the judicial districts of this State, and for other purposes:

Which are herewith presented to the Senate for the signature of the President.

The President signed the bills in said message mentioned.

Mr. Guion asked and obtained leave to the introduction of

A bill to be entitled,

An act for the benefit of convicts in the Penitentiary;

Which was read the first time.

On motion of Mr. Guion,

The constitntional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Guion,

Said bill was referred to the committee on the Penitentiary.

Mr. Boone presented the claim of W. L. Duncan; which,

On his motion,

Was referred to the committee on claims.

Mr. Bradford presented the claim of N. Robert Cary; which,

On his motion,

Was referred to the committee on claims.

Mr. Wilborne, from a joint select committee, made the following report, to-wit:

Mr. President—The joint select committee to whom was referred so much of the Governor's message as relates to a Lunatic Asylum, have had the same under consideration, and after giving to the subject the serious and deliberate attention which its importance seemed to require, have come to the conclusion that the establishment of a lunatic asylum in this State, is demanded by circumstances of immediate and pressing necessity. Institutions of this character have been established in many of the States of the Union, and are productive of the most gratifying results for good. The reports of these institutions, demonstrate the practicability of cure in a large majority of cases of lunacy; and thousands of persons are annually discharged from them as cured, and restored to soundness of mind and to society, who, without the aid afforded by such

institutions, must have been left to drag out a miserable remnant of life, extended through a series of years, lost to all purposes of society, and placing in jeopardy the lives and property of citizens. The asylums for the insane, both in Europe and America, are the subjects of a laudable pride!—the boasted monuments, which, it is the characteristic feature in the legislation of a civilized and christianized people to erect, to the cause of humanity and philanthropy. The committee feel deeply sensible that, in the language of the message, "it is a reproach to any Christian people, that lunatics and insane persons should go at large, unprotected by the care of their fellows, constantly exposed to danger themselves, and putting in imminent peril the lives and property of others." The committee are of opinion that, apart from the claims of humanity, the considerations of public safety and the well being of society, call for some provision by law for the care and safe-keeping of persons mentally diseased, and experience having proved our present laws to be highly defective in these particulars, and that they are not calculated in any manner to aid in the restoration and final cure of such persons, have therefore instructed me to report the following bill, and to recommend it to the favorable consideration of the Senate. All of which is respectfully submitted.

The bill therein reported, entitled

An act to establish a lunatic asylum for the State of Mississippi,

Was read the first time.

On motion of Mr. Wilborne,

The report was received; and

On motion of Mr. Wilborne,

The bill and the report were laid on the table;

And two hundred copies thereof ordered to be printed.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to appropriate money for the relief of the Mississippi volunteers now in Mexico;

An act to relinquish to the United States jurisdiction over a lot of ground, as a site for the erection of Biloxi Light-house;

An act to change the time of holding the probate court in the counties of Clark and Jasper;

And have found the same correctly enrolled.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on enrolled bills, have examined bills of the following titles, to-wit:

A bill to be entitled,

An act to prohibit the circulation of foreign bank notes in this State.

A bill to be entitled,

An act to repeal an act, entitled an act, to amend an act to incorporate the town of Hernando, in the county of De Soto, approved February 16th, A. D. 1842, and for other purposes.

And have found the same correctly engrossed.

Mr. Singleton offered the following resolution, to-wit:

Resolved, that the committee on the judiciary be instructed to inquire into the expediency of reporting a bill to give to overseers a lien upon the crops made for their employers, for the payment of their wages.

Mr. White offered the following amendment to said resolution:

And wood-choppers a lien upon steamboats for wood furnished.

Mr. Boone offered the following amendment to the amendment:

Amend the amendment by striking out "steamboat," and insert "the wood he choped and on the land on which it is choped."

Which was accepted.

Mr. Guion offered the following as a substitute for said resolution:

Resolved, that the committee on the judiciary be instructed to inquire what amendments, if any, are necessary to the existing lien laws in favor of Mechanics and others.

On motion of Mr. Guion,

The whole matter was laid on the table.

Mr. Sharp called for the ayes and noes thereon,

Which are as follows, to-wit:

Ayes—Mr. President, Messrs. Alcorn, Bradford, Cannon, Carter, Gray, Guion, Harrison, Lake, McAfee, Price, Ramsay, Stewart and Wilborne—14 votes.

Noes—Messrs. Boone, Beene, Briscoe, Greer, Johnson, Kennedy, Labauve, McDugald, Pegues, Pettus, Singleton, Sharp, and White—13 votes.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day presented for the approval and signature of his Excellency the Govenor, a bill of the following title, to.wit:

An act to appropriate money for the relief of the Mississippi Volunteers now in Mexico.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed,

An act to relinquish to the United States jurisdiction over a lot of ground as a site for the erection of Biloxi Light-house.

An act to change the time of holding the probate court in the counties of Clarke and Jasper.

An act to appropriate money for the relief of the Mississippi Volunteers now in Mexico.

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed a resolution grating leave of absence to James Wellons:

In which I am instructed to desire the concurrence of the Senate.

The President signed the bills in said message mentioned.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate that he has approved and signed the following bill:

An act to appropriate money for the relief of the Mississippi Volunteers now in Mexico.

Approved January 31st, 1848.

The Senate proceeded to the consideration of the orders of the day:

A bill to be entitled,

An act for the relief of Emily Thompson;

Was read the first time.

On motion of Mr. Briscoe,

The constitutional rule was suspended,

And said bill was read the second time forthwith.

On the further motion of Mr. Briscoe,

The rule was further suspended,

And said bill read the third time forthwith by title, and passed;

Ordered, that the title thereof be as stated.

On motion of Mr. Guion,

The Senate disagreed to the amendment made by the House of Representative to a bill from the Senate:

To be entitled,

An act for the relief of Archibald Milloy of Covington county.

A bill to be entitled,

An act to prohibit the circulation of foreign bank notes in this State;

Was read the third time.

Pending the discussion thereon,

Mr. Gray on his motion,

Had leave to the introduction of

A bill to be entitled,

An act to regulate the practice of the circuit courts in certain cases;

Which was read the first time.

On motion of Mr. Gray,

Said bill was referred to the committee on the judiciary.

On motion of Mr. Gray,

The Senate adjourned.

TUESDAY, FEBRUARY 1st, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Boone, on his motion,

Had leave to withdraw the claim of W. L. Duncan.

Mr. Greer presented the petition of sundry merchants and traders of Holly Springs; which,

On his motion,

Was referred to the committee on finance.

Mr. Stewart presented the petition of Charles Done and his associates; which,

On his motion,

Was referred to a select committee of three.

Messrs. Stewart, Lake and Price, were appointed said committee.

Mr. Harrison asked and obtained leave to the introduction of

A bill to be entitled,

An act to incorporate the President and Trustees of the Aberdeen Female Academy, in the town of Aberdeen;

Which was read the first time.

On motion of Mr. Harrison,

The constitutional rule was suspended,

And said bill was read the second time forthwith.

On the further motion of Mr. Harrison,

Said bill was considered as engrossed, the rule further suspended, and the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, viz:

MR. PRESIDENT—The House of Representatives have passed Senate bills of the following titles:

A bill to be entitled,

An act for the relief Zebulon P. Wardell;

A bill to be entitled,

An act for the relief of Shields L. Hussey of Laudordale county;

And have passed House bills of the following titles:

A bill to be entitled,

An act to provide for the removal of the seat of justice in Yazoo county;

A bill to be entitled,

An act to incorporate the trustees of Eureka Masonic College, at Richland, in Holmes county;

A bill to be entitled,

An act for the relief of James W. Wade, late Superintendent of the Penitentiary;

A resolution of the Legislature of the State of Mississippi to the Congress of the United States, relative to the condition of the second Mississippi Rifles, and Battalion in New Orleans;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act for the relief of Cary D. Tucker;

A bill to be entitled,

An act for the relief of Joshua Nelson;

A bill to be entitled,

An act to abolish the office of assessor of taxes in this State;

A bill to be entitled,

An act to establish an additional district in the Inferior Court of Chancery, in the northern part of this State;

A bill to be entitled,

An act for the mutual protection of lawyers and clients, and for other purposes;

A bill to be entitled,

An act for the relief of Augustus Pitchford of the county of Holmes;

A bill to be entitled,

An act to prevent appeals from justices' courts, by *certiorari* or otherwise, to the circuit courts, or any other court known to the constitution of the State of Mississippi;

Resolution of the Legislature of the State of Mississippi, relative to the Governor of the State, and other persons holding lucrative offices.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to attach fractional township two of range twelve west, to Tunica county;

An act to authorize Henry S. Caulking, his heirs or assigns, to establish and keep a ferry across the Mississippi River, at Rodney;

An act to incorporate Canton male academy, in the county of Madison;

An act to provide for the election of a collector of taxes for the county of Amite, and for other purposes;

An act to divide the fifty-first regiment of the Mississippi Militia, of De Soto county;

An act to amend an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as the same relates to the counties of Wilkinson and Franklin;

An act to authorize Henry L. Hamption to erect a mill dam;

An act to incorporate Brandon Division No. 7, of the Sons of

Temperance, in the town of Brandon, Rankin county, Mississippi;

An act to incorporate Jackson Division No. 34, of the Sons of Temperance, in Jackson, Hinds county;

An act to amend an act to incorporate the Grenada Bridge and Turnpike Company;

An act to transcribe into suitable books, the records of the court of probates of the county of De Soto;

An act to change the time of holding the court of probates of Issaquena county;

And have found the same correctly enrolled.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The Speaker of the House of Representatives has signed:

An act to attach fractional township two of range twelve west, to Tunica county;

An act to authorize Henry S. Caulking, his heirs or assigns, to establish and keep a ferry across the Mississippi River, at Rodney;

An act to incorporate Canton male academy in the county of Madison;

An act to provide for the election of a collector of taxes for the county of Amite, and for other purposes;

An act to divide the fifty-first regiment of Mississippi Militia of De Soto county;

An act to amend an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as the same relates to the counties of Wilkinson and Franklin;

An act to authorize Henry L. Hamption to erect a mill dam;

An act to incorporate Brandon Division No. 7, of the Sons of Temperance, in the town of Brandon, Rankin county, Mississippi;

An act to incorporate Jackson Division No. 34, of the Sons of Temperance, in Jackson, Hinds county;

An act to amend an act to incorporate the Grenada Bridge and Turnpike Company;

An act to transcribe into suitable books, the records of the court of Probates of the county of De Soto;

An act to change the time of holding the court of Probates of Issaquena county;

Which are herewith presented to the Senate for the signature of the President.

The President signed the bills in said message mentioned.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills have examined a bill of the following title, to-wit:

A bill to be entitled,

An act to incorporate the Wardens and Vestrymen of Trinity Church in Yazoo City;

And have found the same correctly engrossed.

Mr. Guion, from the standing committee on the judiciary, to whom had been referred a bill to be entitled,

An act for the relief of James Bond of the county of Choctaw, one of the securities of Richard S. Graves, formerly Treasurer of the State,

Reported said bill back with an amendment thereto, as necessary to grant the relief sought, and asked to be discharged from the further consideration of the subject.

On motion of Mr. Guion,

The report was received and agreed to;

And the bill as amended, read; and,

On motion of Mr. Briscoe,

Said bill as amended, was ordered to be engrossed for a third reading on to-morrow.

Mr. Boone offered the following joint resolution, to-wit:

Resolved, (the House concurring), that a joint committee of three on the part of the Senate, and on the part of the House, be appointed to inquire into the expediency of leasing out the State Penitentiary, and that they report by bill or otherwise;

Which was read.

On motion of Mr. Boone,

The rule was suspended;

And said resolution read the second time, and adopted forthwith.

Messrs. Boone, Guion and Greer, were appointed said committee.

The Senate proceeded to the consideration of the orders of the day.

Mr. Cannon called for the consideration of a bill to be entitled,

An act to change the time of holding the courts of the sixth judicial circuit court district;

Which was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act extending certain privileges to Masons, Odd Fellows, Sons of Temperance and other Societies and Companies;

Was read the first time.

On motion of Mr. Cannon,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

Mr. Wilborne offered the following amendment as a substitute for said bill, to-wit:

Section 1. *Be it enacted by the Legislature of the State of Mississippi*, Henceforth all bodies, societies and associations, whether primary and subordinate or revisory, or independent of ancient free masonry, including encampments and a grand encampment, and of odd fellowship, whether primary and subordinate or revisory, now formed or to be formed within the limits of this State, may become received, known and invested as bodies corporate and politic, in their respective chosen names of association, and have a common seal in the mode and under the limitation and restrictions herein prescribed.

Sec. 2. The mode of investiture shall be thus: When the three first officers of any such body, shall appear in and before the Superior Court of Chancery, or any Vice Chancery or Circuit Court of this State, presenting a petition to be incorporated pursuant to this act, with a copy of the constitution and rules of such body, the same shall be examined by such court, and if, on such examination, the court be satisfied that the prayer should be granted; that the corporation sought is within the limitations and restrictions hereof, and in no wise in conflict with the national and State allegiance of the citizen, or subversive of the order, peace and good morals and safety of the State, then such court may enter a decree in substance thus: "On the petition of *the M. E. Grand Chapter of Masons of the State of Mississippi*, duly presented in court, pursuant to the act in such case made and provided, accompanied with a copy of the constitution thereof, or copy of the rules thereof, as the case may be; and the same having been examined by the court, and the court being satisfied the incorporation of the same will be in accordance with the said act, and not in conflict with the nation-

al and State allegeance of the citizen, or subversive of the order, peace, good morals and safety of this State, it is therefore decreed by the court, that *the M. E. Grand Chapter of Masons of the State of Mississippi*, (or whatever may be the social name of the body petitioning,) be invested with all the rights, privileges, immunities and powers, and subjected to all the limitations and restrictions of the act of the Legislature aforesaid, but none other, to commence from and after the day when this decree shall be enrolled in the office of the Secretary of State, pursuant to said act." The clerk, if the petition be allowed, shall attach thereto the copy of the constitution or rules presented, and annex under his signature and the seal of his court, an exemplification of the decree, stating in his certificate, that the petition and copy attached, were those offered and examined and named in the decree. Of these the Secretary of State shall make enrollment in a separate book, in which enrollment, he shal state, in the actual order of their presentation to him, the year, month and day of presentation, the corporate name of the body incorporated; the date of the decree and name of the court granting it; all of which shall be preceded by the number of the authentication presented, which number shall be of one series, being that of corporations; and the Secretary of State shall make out and deliver, under the great seal, a credential in form and substance thus:

"Be it known to all concerned, that on this day a corporation has been enrolled in the Department of State of the State of Mississippi, by the name of (here insert the corporate name,) and the petition therefor, and the exemplication of the decree of the court, (giving the style of the court and date of the decree,) are the file number— in this department; therefore the said corporation is duly invested from and after this date. In testimony, &c." The Clerk shall be entitled to dollars, and the Secretary of State to dollars, for these services respectively.

Sec. 3. The corporation invested under this act, shall have and enjoy the powers, privileges and immunities following, and none other: to acquire, hold, use, lease, alien, or otherwise lawfully dispose of property, real and personal, including moneys on hand, to the valne and amount of one hundred thousand dollars, but not over that amount; to contract in respect thereof by resolution of its body, and committee or agent, under authentication of its common seal,

and in its corporate name to sue or implead, or be sued or impleaded, and to do and transact all the business and affairs of the association according to its constitution and rules that may not be in violation of, or contrary to, the constitutions and laws of the United States and of this State, or the provisions of this act, allowing it, under this limitation, from time to time to change its fundamental rules.

Sec. 4. No corporation hereby invested shall have or exert banking privileges, or any privilege or power other than those herein expressly given; and any and all its transactions not so authorized, shall to all intents be void.

Sec. 5. Whenever such corporation shall transcend its chartered powers, or cease to act as a masonic or occult body, under or according to the usages and constitutions of the fraternity to which it may belong, it shall cease as a corporation, and its property shall be forfeited or inure to the supervising body of its fraternity, if any there be, and if none, shall escheat to the State for the exclusive use of its hospitals and benevolent institutions.

Sec. 6. This act may be altered, enlarged, restricted or repealed by the Legislature.

On motion of Mr. Pettus,

The bill with its substitute, was referred to the committee on the judiciary.

A bill to be entitled,

An act for the relief of William D. Wilkinson, of the State of New York,

Was read the first time.

Mr. Cannon moved to suspend the rule and read the bill a second time forthwith by title;

Which was lost.

A bill to be entitled,

An act to amend an act to incorporate the Canton and Jackson Rail Road Company,

Was read the first time.

A bill to be entitled,

An act to authorize the circuit court of Leake county to sell certain judgments rendered therein for the cost of suit,

Was read the first time.

On motion of Mr. Gray,

The constitutional rule was suspended,
And said bill was read the second time forthwith by title.
On the further motion of Mr. Gray,
The rule was further suspended,
And the bill read the third time forthwith and passed:
Ordered, that the title thereof be as stated.
A bill to be entitled,
An act to incorporate the Grand Royal Arch Chapter of the State of Mississippi,
Was read the first time.
A bill to be entitled,
An act to incorporate Louisville Lodge No. 75, of free and accepted Masons, in the town of Louisville,
Was read the first time.
On motion of Mr. Harrison,
The constitutional rule was suspended,
And said bill was read the second time forthwith by title.
Mr. Cannon moved to lay said bill on the table;
Which was lost.
On the further motion of Mr. Harrison,
The rule was further suspended,
And the bill read the third time forthwith and passed:
Ordered, that the title thereof be as stated.
A bill to be entitled,
An act to incorporate the board of trustees of the Odd Fellows Hall at Natchez, Mississippi,
Was read the first time.
On motion of Mr. Stewart,
The constitutional rule was suspended,
And said bill was read the second time forthwith by title.
On the further motion of Mr. Stewart,
The rule was further suspended,
And the bill read the third time forthwith, and passed:
Ordered, that the title thereof be as stated.
A bill to be entitled,
An act to authorize the board of police of the counties of Jackson, Harrison and Hancock to grant license to individuals to erect and establish wharves in said counties, and for other purposes,
Was read the first time.

On motion of Mr. Ramsay,
The constitutional rule was suspended,
And said bill was read the second time forthwith by title.
On the further motion of Mr. Ramsay,
The rule was further suspended,
And the bill read the third time forthwith and passed:
Ordered, that the title thereof be as stated.
A resolution granting leave of absence to James Wellons,
Was read the first time.
On motion of Mr. Kennedy,
The constitutional rule was suspended,
And said resolution was read the second time forthwith.
On the further motion of Mr. Kennedy,
The rule was further suspended,
And the resolution read the third time forthwith and passed:
Ordered, that the title thereof be as stated.
Memorial and resolutions of the Legislature of the State of Mississippi to the Congress of the United States,
Were read the first time.
On motion of Mr. Gray,
Said memorial and resolutions were indefinitely postponed.
The Senate proceeded to the consideration of the unfinished business of yeterday.
A bill to be entitled,
An act to prohibit the circulation of foreign bank notes in this State,
Was before the Senate on its third reading:
The question being had on the passage thereof,
It was decided in the affirmative:
Ordered, that the title thereof be as stated.
Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:
Ayes—Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Catching, Gray, Johnson, Kennedy, Labauve, McDugald, McAffee, Price, Pegues, Pettus, Ramsay, Singleton, Sharpe and Wilborne—20 votes.
Noes—Mr. President, Messrs. Alcorn, Greer, Guion, Harrison, Hodges, Lake, Stewart and White—9 votes.
On motion of Mr. Harrison,
S—36

Mr. Dabney, the honorable Senator from the counties of Noxubee and Winston, had leave of absence granted him for a few days.

On motion of Mr. Labauve,

The Senate adjourned.

WEDNESDAY, FEBRUARY, 2, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. McAfee presented the petition of sundry citizens of the county of Jones,

Which was read;

And on motion of Mr. McAfee,

Said petition was referred to the committee on education.

Mr. Guion presented the petition of John A. Cotton:

On motion of Mr. Guion,

Said petition and the accompanying documents were referred to a select committee of three.

Messrs. Guion, Boone, and Kennedy were appointed said committee.

Mr. McDugald asked and obtained leave to the introduction of A bill to be entitled,

An act to incorporate the town of Quitman in the county of Clarke;

Which was read the first time.

On motion of Mr. McDugald,

The constitutional rule was suspended and said bill was read the second time forthwith by title:

On the further motion of Mr. McDugald,

Said bill was ordered to be engrossed for a third reading on to-morrow.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act for the relief of Henry Flowers, late tax assessor of Amite county;

A bill to be entitled,

An act to refund to John G. Robinson, late tax collector of Amite county, a sum therein named;

In which I am instructed to desire the concurrence of the Senate.

The House have passed a Senate bill to be entitled,

An act for the relief of James S. Prichard, John B. Moore, and Nathan B. Whitehead.

Mr. Singleton asked and obtained leave to the introduction of

A bill to be entitled,

An act to incorporate the Camden Male Academy in the county of Madison;

Which was read the first time.

On motion of Mr. Singleton,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title:

On the further motion of Mr. Singleton,

The bill was considered as engrossed;

And the rule was further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Davis from the committee on enrolled bills, made the following report, viz:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act for the relief of Zebulon P. Wardell;

An act for the relief of Shields L. Hussey of Lauderdale co.;

An act to authorize the boards of police of the counties of Jackson, Harrison, and Hancock, to grant license to individuals to erect and establish wharves in said counties, and for other purposes;

An act to incorporate Louisville Lodge No. 75, of Free and Accepted Masons in the town of Louisville;

An act to authorize the circuit court of Leake county, to sell certain judgments rendered therein, for the costs of suit.

An act to incorporate the board of trustees of the Odd Fellows Hall at Natchez, Mississippi;

An act for the relief of Emily Thompson;

A resolution granting leave of absence to James Wellons:

And have found the same correctly enrolled.

The Senate proceeded to the consideration of the orders of the day:

A bill to be entitled,

An act to incorporate the Canton and Jackson Railroad company;

Was read the second time.

On motion of Mr. Singleton,

The constitutional rule was suspended,

And said bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Beene from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills, have examined a bill of the following title, to-wit:

A bill to be entitled,

An act for the relief of James Bond of the county of Choctaw, one of the securities of Richard S. Graves, formerly treasurer of this State;

And have found the same correctly engrossed.

On motion of Mr. White,

Mr. Lake, the honorable Senate from the county of Warren had leave of absence granted him for a few days.

Mr. White asked and obtained leave to the introduction of

A bill to be entitled,

An act to amend the acts regulating the mode of proceeding against incorporated banks, for a violation of their corporate franchises, approved July 20th, 1843, and February 28th, 1846;

Which was read the first time.

On motion of Mr. White,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. White,

Said bill was referred to the committee on the judiciary.

Mr. Beene, from a select committee, to whom had been referred

A bill to be entitled,

An act to change the time of holding the circuit courts in the seventh judicial district in this State, reported a bill of the above named title in lieu of the said bill, and recommend its passage;

Which bill was read the first time.

On motion of Mr. Boone,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Boone,

The bill was considered as engrossed, the rule further suspended,

And read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act concerning the probate court of De Soto county;

Also, an act to change the time of holding the probate courts in the counties of Clarke and Jasper;

Also, an act to relinquish to the United States jurisdiction over a lot of ground as a site for the erection of Biloxi Light-house.

Also, an act for the relief of Margaret P. Baskerville;

Approved February 1st, 1848.

Mr. Johnson, from the joint standing committee on public buildings, reported

A bill to be entitled,

An act for the repairing of the State Capitol and Executive Mansion;

Which was read the first time.

On motion of Mr. Johnson,

The report was received.

A bill to be entitled,

An act for the relief of William D. Wilkinson, of the State of New York,

Was read the second time.

On motion of Mr. McDugald,

The bill was indefinitely postponed.

A bill to be entitled,

An act to incorporate the Grand Royal Arch Chapter, of the State of Mississippi,

Was read the second time.

A bill to be entitled,

An act to incorporate the trustees of Eureka Masonic College at Richland, in Holmes county,

Was read the first time.

On motion of Mr. Cannon,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Sharpe,

The rule was further suspended,

And the bill was read the third time forthwith by title, and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed,

An act to authorize the boards of police of the counties of Jackson, Harrison and Hancock to grant license to individuals to erect and establish wharves in said counties, and for other purposes;

An act to incorporate Louisville Lodge No. 75, of free and accepted Masons, in the town of Louisville;

An act to authorize the circuit court of Leake county to sell certain judgments rendered therein for the cost of suit;

An act to incorporate the board of trustees of the Odd Fellows Hall, at Natchez, Mississippi;

An act for the relief of Emily Thompson;

A resolution granting leave of absence to Hon. James Wellons;

An act for the relief of Shields L. Hussey, of Lauderdale county;

An act for the relief of Zebulon P. Wardell;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed a bill of the following title:

A bill to be entitled,

An act for the relief of Augustus Pitchford, of Holmes county;

In which I am instructed to desire the concurrence of the Senate.

The President signed the bills in said message mentioned.

A bill to be entitled,

An act to provide for the removal of the seat of justice in Yazoo county,

Was read the first time.

On motion of Mr. White,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. White,

Said bill was referred to a select committee of three.

Messrs. White, Guion and Kennedy, were appointed said committee.

A bill to be entitled,

An act for the relief of James W. Wade, late Superintendent of the Penitentiary,

Was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

Mr. Labauve moved to lay said bill on the table;

Which was lost.

On motion of Mr. Hodges,

The bill was referred to the committee on claims.

A resolution of the Legislature of the State of Mississippi to the Congress of the United States, relative to the condition of the 2d Mississippi Rifles, and Battalion in New Orleans,

Was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And said resolution was read the second time forthwith.

Mr. White moved the indefinite postponement of said resolution;

Which was lost.

Mr. Alcorn offered the following amendment, to-wit:

Resolved further, that his Excellency the Governor be requested to forward to each of our members in Congress, a copy of this resolution;

Which was adopted.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And said resolution, as amended, was read the third time, and passed:

Ordered, that the title thereof be as stated.

The Senate resolved itself into committee of the whole, on

A bill to be entitled,

An act to enable the tax collectors more efficiently to collect the revenue of this State;

And after some time spent therein,

The committee rose, and Mr. Guion reported said bill back as amended.

On motion of Mr. Guion,

The report was received and agreed to.

On motion of Mr. Briscoe,

Said bill as amended, was ordered to be engrossed for a third reading on to-morrow.

The Senate resolved itself into committee of the whole, on

A bill to be entitled,

An act to provide for the sale of the 500,000 acres of land, donated to the State of Mississippi by the Congress of the United States, for purposes of internal improvement;

And after some time spent therein,

The committee rose, and Mr. White reported said bill back without amendment.

On motion of Mr. White,

The report was received.

On motion of Mr. Hodges,

The Senate adjourned.

THURSDAY, FEBRUARY 3d, 1848.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Price presented the petition of sundry citizens of the county of Tippah; which,

On his motion,

Was referred, together with the accompanying documents, to a select committee of three.

Messrs. Price, Boone and Greer, were appointed said committee.

Mr. Labauve asked and obtained leave to the introduction of

A bill to be entitled,

An act to secure the collection of the jury tax, and to protect the officers of courts;

Which was read the first time.

Mr. Catching asked and obtained leave to the introduction of

A bill to be entitled,

An act to amend the laws relating to writs of injunction, *ne exeat* and *supersedeas;*

Which was read the first time.

On motion of Mr. Catching,

The constitutional rule was suspended,

And said bill was read the second time forthwith.

On the further motion of Mr. Catching,

Said bill was ordered to be engrossed for a third reading on to-morrow.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have passed Senate bills of the following titles:

A bill to be entitled,

An act to incorporate the President and Trustees of the Aberdeen Female Academy, in the town of Aberdeen;

A bill to be entitled,

An act to incorporate the Camden Male Academy in the county of Madison.

The House have receeded from their amendment, made to a bill from the Senate, entitled,

An act for the relief of Archibald Milloy of Covington county,

And have concurred in the resolution of the Senate appointing a joint committee of three on the part of the Senate, and on the part of the House, to inquire into the expediency of leasing out the State Penitentiary;

And have apointed on the part of the House, Messrs. Abbott, Henry and Metcalf.

The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to incorporate McKendree Lodge No. 32, of the Independent Order of Odd Fellows;

A bill to be entitled,

An act to incorporate Tombigbee Encampment No. 6, of the Independent Order of Odd Fellows, in the town of Columbus;

A bill to be entitled,

An act to amend an act entitled an act to incorporate the town of Monticello, approved 6th February, 1827, and to define the corporate limits of said town;

In which I am instructed to desire the concurrence of the Senate.

The House have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to relinquish the title of the State to certain property, to V. M. Newton and E. S. Drake, and for other purposes;

A bill to be entitled,

An act for the relief of Wm. Barton;

A bill to be entitled,

An act to provide the mode of administering the oath of office to all newly elected county officers;

A bill to be entitled,

An act to substitute copies of lost papers in lieu of the original;

A bill to be entitled,

An act to amend the several acts regulating the practice in the Circuit courts;

A bill to be entitled,

An act to compensate the Auditor of Public Accounts for extra services performed by him in the redemption of lands.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act for the relief of Margaret P. Baskerville;

An act concerning the Probate court of De Soto county;

An act to change the time of holding the Probate court of the counties of Clark and Jasper;

An act to relinquish to the United States jurisdiction over a lot of ground, as a site for the erection of Biloxi light house;

An act to remove the seat of justice of the county of Monroe from the town of Athens, and permanently locate it in the town of Aberdeen;

An act to amend an act entitled an act to reorganize the judicial districts of this State, and for other purposes.

Mr. President—The joint standing committee on enrolled bills, have presented to his Excellency, the Governor, for his approval and signature, a bill of the following title, to-wit:

An act for the relief of Joseph D. Foster.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills have examined bills of the following titles, to-wit,

A bill to be entitled,

An act to enable the tax collectors more efficiently to collect the revenue of this State;

A bill to be entitled,

An act to incorporate the town of Quitman in the county of Clark;

And have found the same correctly engrossed.

Mr. Price asked and obtained leave to the introduction of

A bill to be entitled,

An act to incorporate the mutual life insurance company of Mississippi;

Which was read the first time.

On motion of Mr. Price,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Price,

The bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Stewart asked and obtained leave to the introduction of

A bill to be entitled,

An act to amend the law regulating appeals and writs of error;

Which was read the first time.

On motion of Mr. Stewart,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Stewart,

Said bill was referred to the committee on the judiciary.

Mr. Gray offered the following joint resolution, to-wit:

Resolved, that a joint select committee of three on the part of the Senate, and on the part of the House, be appointed, whose duty it shall be to inquire into the expediency of printing and publishing

the public acts and resolutions only, and that said committee have power to report by bill or otherwise;

Which was read the first time,

On motion of Mr. Gray,

The rule which requires joint resolutions to lie over one day, was suspended;

And said resolution was read the second time forthwith, and and adopted.

Messrs. Gray, Price and Stewart, were appointed said committee.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed,

An act for the relief of James S. Prichard, John B. Moore and Nathan B. Whitehead;

An act to incorporate the trustees of Eureka Masonic College, at Richland, Holmes county;

An act to amend an act entitled an act to incorporate the Canton and Jackson Rail Road Company, approved 1st February, 1841;

Which are herewith presented to the Senate for the signature of the President.

The President signed the bills mentioned in said message.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act for the relief of James S. Prichard, John B. Moore and Nathan B. Whitehead;

An act to amend an act entitled an act to incorporate Canton and Jackson Rail Road Company, approved 1st February, 1841;

An act to incorporate the trustees of Eureka Masonic College at Richland, Holmes county;

And have found the same correctly enrolled.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act to incorporate the Grand Royal Arch Chapter of the State of Mississippi;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to refund to John G. Robinson, late tax collector of Amite county, a sum therein named;

Was read the first time.

On motion of Mr. Davis,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Davis,

Mr. Wall, the honorable Representative from the county of Amite, appeared within the bar of the Senate, in explanation of said bill, and the bill hereinafter next named.

On the further motion of Mr, Davis,

The rule was further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of Henry Flowers, late tax assessor of Amite county;

Was read the first time.

On motion of Mr. Davis,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Davis,

The constitutional rule was further suspended,

And the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of Augustus Pitchford of Holmes county;

Was read the first time.

On motion of Mr. Sharpe,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Sharpe,

The rule was further suspended,

And the bill was read the third time forthwith.

On motion of Mr. Sharpe,

Said bill was laid on the table.

The bill before the Senate on yesterday, entitled

An act to provide for the sale of the 500,000 acres of land, donated to the State of Mississippi by the Congress of the United States, for purposes of internal improvement,

Was before the Senate, on the agreement to the report of the committee of the whole made on yesterday.

Mr. Alcorn offered the following amendment, to-wit:

"Strike out the first section;"

Which was lost.

Mr. Alcorn called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Alcorn, Johnson, Kennedy, Labauve, Pegues and Sharpe—6 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Catching, Davis, Gray, Greer, Guion, Harrison, Hodges, McDugald, McAffee, Price, Pettus, Ramsay, Singleton, Stewart, White and Wilborne—23 votes.

Mr. Bradford offered the following amendment, to-wit:

Amend section one, by striking out the word "five" where it occurs in the sixth line, and insert the word "eight;"

Which was lost.

Mr. Singleton called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Bradford, Briscoe, Catching, Davis, Harrison, Johnson, Labauve, McDugald, McAffee, Ramsay, Singleton and Sharpe—12 votes.

NOES—Mr. President, Messrs. Alcorn, Boone, Beene, Carter, Gray, Greer, Guion, Hodges, Kennedy, Price, Pegues, Pettus, Stewart, White and Wilborne—17 votes.

Mr. Harrison offered the following amendment, to-wit:

Amend section 6th, 8th line: Strike out the words "price of two dollars and fifty cents per acre," and insert "aforesaid minimum price as herein provided for."

Mr. Alcorn offered the following amendment to the amendment:

Strike out section six, after the enacting clause, and insert the following:

That any actual settler on the 500,000 acres of land granted to this State for purposes of internal improvement, who was a settler upon the same at the time of its location, or any person who may

have purchased from such settler his occupant claim, shall be entitled to enter such quarter section of land at one dollar and twenty-five cents per acre—satisfactory proof being made that the claimant possess no other land, and the place sought to be entered, is his home;

Which was lost.

Mr. Alcorn called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Alcorn, Hodges, Johnson, Kennedy, Labauve, McDugald, Pegues and Sharpe—8 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Catching, Davis, Gray, Greer, Guion, Harrison, McAffee, Price, Pettus, Ramsay, Singleton, Stewart, White and Wilborne—20 votes.

The question was next had on the amendment of Mr. Harrison;

Which was lost.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Beene, Bradford, Cannon, Harrison and Johnson—5 votes.

NOES—Mr. President, Messrs. Alcorn, Boone, Briscoe, Catching, Davis, Gray, Greer, Guion, Hodges, Kennedy, Labauve, McDugald, McAffee, Price, Pegues, Pettus, Ramsay, Singleton, Sharpe, Stewart, White and Wilborne—23 votes.

Mr. Pettus offered the following amendment, to-wit:

"Strike out section seventh."

Mr. Aldorn offered the following amendment to the amendment, to-wit:

And insert: "*Provided however*, that any person who may purchase any of the 500,000 acres of land, including the settlement and home of any of our citizens, such person, before they shall enter upon said lands, shall pay to the settler an equivalent in money for the labor and improvements done upon said land."

The question was first had upon striking out;

Which was decided in the affirmative.

The question was next had on the amendment;

Which was lost.

Mr. Alcorn called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Alcorn, Greer, Johnson, Kennedy, Labauve, McAffee, Pegues, Sharpe and Wilborne—9 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Catching, Davis, Gray, Guion, Harrison, Hodges, McDugald, Price, Pettus, Ramsay, Singleton, Stewart and White—19 votes.

Mr. Singleton offered the following amendment, to-wit:

Amend by striking out "five" where it occurs in the sixth line of the first section, and insert "six" in lieu thereof.

The question was first had on striking out;

Which was decided in the affirmative.

Mr. Singleton called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Boone, Bradford, Briscoe, Cannon, Carter, Catching, Davis, Harrison, Johnson, Labauve, McAffee, Price, Pettus, Ramsay and Singleton—15 votes.

NOES—Mr. President, Messrs. Alcorn, Beene, Gray, Greer, Guion, Hodges, Kennedy, McDugald, Pegues, Sharpe, Stewart, White and Wilborne—14 votes.

Mr. Sharpe offered the following amendment, to-wit:

Amend by inserting "fifteen;"

Which was lost.

The question was next had on filling said blank in the bill, with the number six;

Which was decided in the affirmative.

Mr. Boone called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Catching, Davis, Gray, Greer, Guion, Harrison, Hodges, Johnson, McDugald, McAffee, Price, Pegues, Pettus, Ramsay, Singleton, Sharpe, Stewart, White and Wilborne—26 votes.

NOES—Messrs. Alcorn, Kennedy and Labauve—3 votes.

Mr. Alcorn offered the following amendment, by way of additional section, viz:

Sec. —. *Be it further enacted*, that there shall be appropriated out of any money now in the treasury, or which may be in the treasury on the 1st of May, 1849, not otherwise appropriated, and under such restrictions as may hereafter be provided, the following sums to objects of internal improvement in this State, to-wit:

To the improvement of the navigation of Pearl river, $20,000
" " " Chickasawhay, 5,000
" " " Big Black, 10,000
" " " Tchula & Yazoo, 25,000
" " " Tallahatchie, 15,000
" " " Tombigbee, 10,000
" " " Noxubee, 12,000
" " " Yocknapatapha, 12,000
" " " Yallobusha, 12,000
" " " Cold Water, Sunflower and Yazoo Pass, 20,000

To the construction of a levee on the east bank of the Mississippi from the mouth of Muddy Bayou, in the county of Warren, to the Tennessee line, 100,000

On motion of Mr. Briscoe,

Said amendment was laid on the table.

Mr. Briscoe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Catching, Davis, Gray, Greer, Guion, Harrison, Hodges, Johnson, McDugald, McAfee, Price, Pegues, Pettus, Ramsay, Singleton, Sharpe, Stewart, White and Wilborne—26 votes.

NOES—Messrs. Alcorn, Kennedy and Labauve—3 votes.

Mr. Sharpe moved an adjournment;

Which was lost.

The Senate continued the consideration of said bill.

Mr. Singleton offered the following amendment, to-wit:

Amend by striking out "five" where it occurs in the second section, third line, and insert "six;"

Which was adopted.

Mr. Sharpe offered the following amendment, to-wit:

Amend section one after the words "internal improvement," add "and Chickasaw schools lands given in lieu of sixteenth sections by an act of Congress September the 4th, 1841."

On motion of Mr. McAffee,

Said amendment was laid on the table.

Mr. Labauve offered the following amendment, to-wit:

Amend first section sixth line, after the words "per acre," and insert "in gold or silver, and ten dollars per acre in bonds and

coupons of the late Planters Bank."

On motion of Mr. Ramsay,

Said amendment was laid on the table.

Mr. Labauve offered the following amendment, to-wit:

Sec. —. *Be it further enacted*, that the sum of eighty-four thousand six hundred dollars, out of any money in the treasury not otherwise appropriated, for the payment of the seminary fund due by the late Planters Bank of this State.

On motion of Mr. Greer,

Said amendment was laid on the table.

Mr. Labauve moved to recommit said bill;

Which was lost.

Mr. Labauve moved the indefinite postponement of said bill with the amendments;

Which was lost.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Alcorn, Johnson, Kennedy, Labauve and Sharpe —5 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Catching, Davis, Gray, Greer, Guion, Harrison, Hodges, McDugald, McAffee, Price, Pettus, Ramsay, Singleton, Stewart, White and Wilborne—23 votes.

Mr. Harrison moved the engrossment of said bill, as amended, and make it the special order of the day for to-morrow.

Mr. Kennedy moved to make said bill the order of the day for Monday next.

The question was first had on the motion of Mr. Kennedy;

Which was lost.

The question was next had on the motion of Mr. Harrison;

Which prevailed.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have presented to his Excellency the Governor for his approval and signature, bills of the following titles, to-wit:

An act to incorporate Canton Male Academy, in the county of Madison;

An act to incorporate Jackson Division No. 34, of the Sons of Temperance, in Jackson, Hinds county;

An act to provide for the election of a collector of taxes for the county of Amite, and for other purposes;

Joint resolutions inviting General Zachary Taylor and General John A. Quitman, to visit the Capital of Mississippi during the present session of the Legislature;

An act to amend an act to incorporate the Grenada Bridge and Turnpike Company;

An act to change the time of holding the court of probates of Issaquena county;

An act to transcribe into suitable books the records of the court of probates of the county of Desoto;

An act to divide the fifty-first regiment of the Mississippi militia of Desoto county;

An act to authorize Henry S. Caulking, his heirs or assigns, to establish and keep a ferry across the Mississippi river, at Rodney;

An act to authorize Henry L. Hampton to erect a mill-dam;

An act to amend an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as the same relates to the counties of Wilkinson and Franklin;

An act to incorporate Brandon Division No. 7, of the Sons of Temperance, in the town of Brandon, Rankin county, Mississippi;

An act to attach fractional township two, of range twelve west, to Tunica county;

An act for the relief of Shields L. Hussey, of Lauderdale county;

An act for the relief of Zebulon P. Wardell.

On motion of Mr. Greer,

The Senate adjourned.

FRIDAY, FEBRUARY 4, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. White, from a select committee to whom had been referred

A bill to be entitled,

An act to provide for the removal of the seat of justice in Yazoo county;

Reported said bill back with an amendment.

On motion of Mr. White,

The report was received.

On the further motion of Mr. White,

The amendments were considered as engrossed,

And the bill and the amendments were read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Ramsay presented the memorial of the voters of Hancock county,

Which was read.

On motion of Mr. Ramsay,

Said memorial was referred to a select committee of three:

Messrs. Guion, Stewart, and Ramsay, were appointed said committee.

Mr. Ramsay called from the table,

A bill to be entitled,

An act to authorize the citizens of Hancock county to locate the seat of justice of said county, and for other purposes.

On motion of Mr. Ramsay,

Said bill was referred to the same committee, with the last named memorial.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act to change the time of holding the court of probates of Issequena county.

An act to transcribe into suitable books, the records of the court of probates of the county of De Soto.

An act to divide the fifty-first Regiment of the Mississippi Militia of De Soto county.

An act to amend an act, to incorporate the Grenada Bridge and Turnpike Company, approved February 3rd, 1848.

The following message was received from the House of Representatives, through their clerk, to-wit:

Mr. President—The House of Representativs have passed a Senate bill, entitled

An act to change the time of holding the circuit courts in the seventh judicial district in this State;

And have also passed a memorial of the Legislature of the State of Mississippi to the Senate and House of Representatives of the United States in Congress assembled;

In which I am instructed to desire the concurrence of the Senate.

Mr. Davis, from the standing committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act for the relief of Archibald Milloy of Covington county;

An act to incorporate the Camden Male Academy in the county of Madison;

An act to incorporate the president and trustees of the Aberdeen Female Academy in the town of Aberdeen;

An act for the relief of Henry Flowers, late tax assessor of Amite county;

An act to refund to John G. Robinson, late tax collector of Amite county, a sum therein named;

An act to incorporate the Grand Royal Arch Chapter of the State of Mississippi:

And have found the same correctly enrolled.

Mr. Singleton asked and obtained leave to the introduction of A bill to be entitled,

An act for the election of the Clerk of the Superior Court of Chancery;

Which was read the first time.

On motion of Mr. Singleton,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Singleton,

The bill was ordered to be engrossed for a third reading on Monday next.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The Speaker of the House of Representatives has signed:

An act to incorporate the president and trustees of the Aberdeen Female Academy in the town of Aberdeen;

An act for the relief of Henry Flowers, late tax assessor of Amite county;

An act to refund to John G. Robinson, late tax collector of Amite county, a sum therein named;

An act to incorporate the Grand Royal Arch Chapter of the State of Mississippi;

An act for the relief of Archibald Milloy of Covington county;

An act to incorporate the Camden Male Academy in the county of Madison;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed a bill to be entitled, an act requiring members of the boards of police of the several counties to act as overseers of the poor;

In which I am instructed to desire the concurrence of the Senate.

And have also passed a bill from the Senate, to be entitled an act for the relief W. W. Smith of Panola county;

And have also passed a bill to be entitled an act to authorize the auditor of public accounts to purchase fuel for the offices of the chancery court and the high court of errors and appeals;

In which I am instructed to desire the concurrence of the Senate;

The President signed the bills in said message mentioned.

Mr. Beene, from the standing committee on engrossed bills, made the following report, to-wit:

MR. PRESIDENT—The committee on engrossed bills, have examined bills of the following titles, to-wit:

A bill to be entitled,

An act to provide for the sale of the 500,000 acres of land, donated to the State of Mississippi by the Congress of the United States, for purposes of Internal Improvement;

A bill to be entitled,

An act to amend the laws relating to writs of injunctio, n*ne exeat* and supersedeas;

A bill to be eutitled,

An act to incorporate the Mutual Life Insurance Company of Mississippi,

And have found the same correctly engrossed.

Mr. Price presented the claim of Samuel K. McMaster,

Which on his motion,

Was referred to the committee on claims.

Mr. Davis asked and obtained leave to the introduction of

A bill to be entitled,

An act to legalize the lease of sixteenth sections in Pike county,

Which was read the first time.

On motion of Mr. Davis,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Davis,

The bill was considered as engrossed, the rule further suspended and the bill read the third time forthwith and passed;

Ordered, that the title thereof be as stated.

Mr. Briscoe called for the consideration of

A bill to be entitled,

An act to enable the tax collectors more effectually to collect the revenue of this State,

Which was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Guion called for the ayes and noes on the passage of said bill which are as follows, to-wit:

Ayes—Mr. President, Messrs. Boone, Bradford, Briscoe, Cannon, Carter, Catching, Davis Gray, Greer, Hodges, Johnson, Kennedy, Labauve, McAfee, Price, Pettus, Ramsay, Singleton, Sharp, and Wilborne—21 votes.

Noes—Messrs. Alcorn, Guion, Harrison, Lake, Pegues, Stewart, and White—7 votes.

Mr. Boone asked and obtained leave to the introduction of

A bill to be entitled,

An act to abolish the office of State Architect;

Which was read the first time.

Mr. Stewart asked and obtained leave to the introduction of

A bill to be entitled,

An act to amend the practice of the several courts of this State;

Which was read the first time.

On motion of Mr. Stewart,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Stewart,

Said bill was referred to the committee on the judiciary.

Mr. Kennedy presented the petition of Thompson Wilson,

Which was read;

And on his motion,

Referred to the committee on Internal Improvments.

Mr. Singleton called for the consideration of

A bill to be entitled,

An act to extend the Railroad eastwardly beyond Jackson.

The Senate forthwith resolved itself into committee of the whole on said bill;

And after some time spent therein the committee rose and Mr. Greer reported said bill back as amended.

On motion of Mr. Greer,

The report was received.

On motion of Mr. Guion,

The report was agreed to.

On motion of Mr. Pettus,

The bill as amended was ordered to be engrossed for a third reading and made the special order of the day for to-morrow.

Mr. Cannon called for the consideration of a bill from the House of Representatives to be entitled,

An act to authorize the auditor of public accounts to purchase fuel for the offices of the chancery court and the high court of errors and appeals;

Which was read the first time.

On motion of Mr. Cannon,

The constitutional rule was suspended,

And said bill was read the second time forthwith.

On the further motion of Mr. Cannon,

The rule was further suspended,

And the bill was read the third time forthwith by title and passed:

Ordered, that the title thereof be as stated.

Mr. Guion asked and obtained leave to the introduction of

A bill to be entitled,

An act to incorporate the New Orleans and Ohio Telegraph Company;

Which was read the first time.

On motion of Mr. Guion,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Guion,

Said bill was considered as engrossed, the rule further suspended and the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Lake asked and obtained leave to the introduction of

A bill to be entitled,

An act to incorporate the officers and members of Vicksburg Divison No. 1 of the Sons of Temperance;

Which was read the first time.

On motion of Mr. Lake,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Lake,

The bill was considered as engrossed, the rule further suspended and the bill read the time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Lake asked and obtained leave to the introduction of

A bill to be entitled,

An act to enable the citizens of Vicksburg to build a Pest House;

Which was read the first time.

Mr. Bradford asked and obtained leave to the introduction of

A bill to be entitled,

An act to divide the 48th Regiment of Mississippi Militia;

Which was read the first time.

On motion of Mr. Bradford,

The constutional rule was suspended,

And said bill read the second time forthwith by title.

On the further motion of Mr. Bradford,

The bill was considered as engrossed, the rule further suspended and the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The Senate proceeded to the consideration of the orders of the day:

A bill to be entitled,

An act to amend an act, entitled an act to incorporate the town of Monticello, approved the 6th February, 1827, and to define the corporate limits of said town;

Was read the first time.

A bill to be entitled,

An act to incorporate Tombigbee Encampment No. 6, of the Independent Order of Odd Fellows, in the town of Columbus;

Was read the first time.

A bill to be entitled,

An act to incorporate McKendree Lodge No. 32, of the Independent Order of Odd Fellows;

Was read the first time.

A bill to be entitled,

An act to provide for the sale of the 500,000 acres of land donated to the State of Mississippi, by the Congress of the United States, for purposes of Internal Improvement;

Was read the third time.

On motion of Mr. Boone,

The clerical errors in the engrossed bill were corrected.

Mr. Alcorn offered the following amendment by way of ryder, to-wit:

Provided, however, that any person now residing upon any of said land which was in the possession of an occupant at the time of its location, shall be entitled to the same privileges that are secured to the pre-emptor, proof being made by him that he became the innocent purchaser, or that said land has been entered under the pre-emption law of the general government;

Which was lost.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Alcorn, Hodges, Johnson, Kennedy, Labauve, McDugald, Pegues, Singleton, and Sharpe—9 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Cannon, Carter, Catching, Gray, Greer, Guion, Harrison, Lake, McAfee, Price, Pettus, Ramsay, Stewart, White, and Wilborne.—19 votes.

Mr. Labauve offered the following amendment by way of ryder, to-wit:

Section —— *Be it further enacted*, that before any action shall be had upon the provisions of this act, the same shall be submitted to a direct vote of the people of this State at the next Presidential election; and it shall be the duty of the inspectors at said election to take the voice of each voter for or against said act, and to make due record of the same, and cause the votes for and against to be returned to the Secretary of State as is required to be done in elections; and the Secretary of State is hereby required to make

publication of the number of votes for and against said act, in two news papers published in this State, for the space of two months, and within five days after the returns of said election.

On motion of Mr. Boone,

Said amendment was laid on the table.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Boone, Beene, Bradford, Cannon, Carter, Catching, Gray Greer, Guion, Harrison, Hodges, Lake, McAfee, Price, Pettus, Singleton, Stewart, White, and Wilborne—20 votes.

Noes—Messrs. Alcorn, Johnson, Kennedy, Labauve, McDugald, Pegues, Ramsay, and Sharpe—8 votes;

And said bill was put on its final passage and passed:

Ordered, that the title thereof be as stated.

Mr. Sharpe called for the ayes and noes thereon, which are as follows:

Ayes—Mr. President, Messrs. Boone, Beene, Bradford, Cannon, Carter, Catching, Davis, Gray, Greer, Guion, Harrison Hodges, McAfee, Price, Pettus, Ramsay, Singleton, Stewart, White, and Wilborne—21 votes.

Noes—Messrs. Alcorn, Johnson, Kennedy, Lake, Labauve, McDugald, Pegues, and Sharpe—8 votes.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to authorize the boards of police of the counties of Jackson, Harrison and Hancock, to grant license to individuals to erect and establish wharves in said counties, and for other purposes;

An act to incorporate the board of trustees of the Odd Fellows' Hall at Natchez Mississippi;

An act to incorporate Louisville Lodge No. 75, of Free and Accepted Masons, in the town of Louisville;

An act to authorize the Circuit court of Leake county to sell certain judgments rendered therein, for the costs of suit;

An act for the relief of Emily Thompson:

A resolution granting leave of absence to James Wellons;

An act for the relief of Henry Flowers, late tax assessor of Amite county;

An act to incorporate the Grand Royal Arch Chapter of the State of Mississippi;

An act to refund to John G. Robinson, late tax collector of Amite county, a sum therein named;

An act for the relief of Archibald Milloy of Covington county;

An act to incorporate the Camden Male Academy in the county of Madison;

An act to incorporate the president and trustees of the Aberdeen Female Academy, of the town of Aberdeen;

An act to authorize the Auditor of Public Accounts to purchase fuel for the offices of the Chancery Court and the High Court of Errors and Appeals.

The following message was received from his Excellency, the Governor, through his private Secretary, to-wit:

Mr. President—I am instructed by his Excellency, the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act to amend an act to incorporate the Grenada Bridge and Turnpike Company;

An act to change the time of holding the court of probates of Issaquena county;

An act to transcribe into suitable books, the records of the court of probates of the county of De Soto;

An act to divide the fifty-first regiment of Mississippi Militia of De Soto county;

Approved February 3d, 1848.

An act to incorporate Jackson Division No. 34, of the Sons of Temperance, in Jackson, Hinds county;

An act to incorporate Canton male academy in the county of Madison;

An act to amend an act reducing the fees of certain officers therein named, approved February 10th, 1844, so far as the same relates to the counties of Wilkinson and Franklin;

An act to provide for the election of a collector of taxes for the county of Amite, and for other purposes;

An act for the relief of Shields L. Hussey of Lauderdale county;

An act to authorize Henry L. Hampton to erect a mill dam;

An act to authorize Henry S. Caulking, his heirs or assigns, to establish and keep a ferry across the Mississippi River at Rodney;

An act to incorporate Brandon Division No. 7, of the Sons of Temperance, in the town of Brandon, Rankin county, Mississippi;

Also, joint resolutions inviting Gen. Zachary Taylor and Gen. John A. Quitman to visit the capital of Mississippi, during the present session of the Legislature.

Approved February 4th, 1848.

Mr. Ramsay asked and obtained leave to the introduction of

A bill to be entitled,

An act to amend an act reducing the fees of certain officers therein named, approved 10th of February, 1844, so far as the same relates to the county of Harrison;

Which was read the first time.

On motion of Mr. Ramsay,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

Mr. Hodges offered the following amendment, to-wit:

After the word "Harrison," insert "Smith county;"

Which was adopted.

On motion of Mr. Ramsay,

Said bill as amended, was ordered to be engrossed for a third reading on to-morrow.

Mr. Catching asked and obtained leave to the introduction of

A bill to be entitled,

An act to regulate the expenditure of the Auditor's contingent fund, and for the supply of the court rooms in the capitol;

Which was read the first time.

On motion of Mr. Catching,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Catching,

The bill was considered as engrossed, the rule further suspended, and the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, viz:

Mr. President—The House of Representatives have passed a Senate bill entitled,

An act to change the times of holding the courts of the 6th judicial circuit court district;

And have made an amendment thereto;

In which I am instructed to desire the concurrence of the Senate.

Mr. McDugald asked and obtained leave to the introduction of

A bill to be entitled,

An act relative to executions and insolvent debtors;

Which was read the first time.

On motion of Mr. McDugald,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. McDugald,

Said bill was referred to the committee on the judiciary.

Mr. McDugald asked and obtained leave to the introduction of

A bill to be entitled,

An act relative to the militia laws of this State;

Which was read the first time.

On motion of Mr. Cannon,

Mr. Briscoe, the honorable Senator from the counties of Claiborne and Jefferson, had leave of absence granted him for a few days.

Mr. Boone, on his motion,

Had leave to withdraw the claim of N. Robert Carey;

Mr. Davis, from the standing committee on enrolled bills, made the following report, viz:

Mr. President—The joint standing committee on enrolled bills, have this day examined a bill of the following title, to-wit:

An act to authorize the Auditor of Public Accounts to purchase fuel for the offices of the Chancery Court and the High Court of Errors and Appeals;

And have found the same correctly enrolled.

On motion of Mr. Hodges,

The Senate adjourned.

SATURDAY, February 5, 1848.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Ramsay presented the petitions of sundry citizens of the county of Hancock; which,

On his motion,

Were referred to the select committee raised on yesterday upon the same subject.

Mr. Guion, from the standing committee on the judiciary, to whom was referred,

A bill to be entitled,

An act to prevent frauds in conveyances, and to protect innocent purchasers,

Reported said bill back without amendment, and recommend its passage.

On motion of Mr. Guion,

The report was received.

Mr. Guion, from the committee on the judiciary, to whom had been referred,

A bill to be entitled,

An act to regulate the practice of the circuit courts, in certain cases,

Reported said bill back without amendment, and recommend its passage.

On motion of Mr. Guion,

The report was received.

Mr. Guion, from the standing committee on the judiciary, to whom was referred,

A bill to be entitled,

An act to amend the acts regulating the mode of proceeding against incorporated banks for a violation of their corporate franchises, approved July 26th, 1843, and February 28th, 1846,

Reported said bill back without amendment, and recommend its passage.

On motion of Mr. Guion,

The report was received.

Mr. Guion, from the standing committee on the judiciary, to whom was referred,

A bill to be entitled,

An act relative to executions and insolvent debtors,

Reported said bill back without amendment, and recommend its passage.

On motion of Mr. Guion,

The report was received.

The following message was received from the House of Representatives, through their Clerk, to wit:

Mr. President—The Speaker of the House of Representatives has signed:

An act to provide for the removal of the seat of justice in Yazoo county;

An act for the relief of W. W. Smith, of Panola county;

An act to change the time of holding the circuit courts in the seventh judicial district in this State;

A resolution of the Legislature of the State of Mississippi, to the Congress of the United States, relative to the condition of the 2d Mississippi Rifles, and the Battalion in New Orleans;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed:

A resolution of the Legislature of the State of Mississippi, in relation to the report of Col. Jefferson Davis;

In which I am instructed to desire the concurrence of the Senate.

The President signed the bills and resolution in said message mentioned.

Mr. Boone, from the standing committee on claims, made the following report, to-wit:

Mr. President—The joint standing committee on claims, to whom was referred a bill entitled, an act for the relief of J. W. Wade, late Superintendent of the Penitentiary, have had the same under consideration, and have instructed me to make the following report:

Your committee are of opinion the bill should not pass. They have examined the law, and find it is the bounden duty of the Keeper to live within the walls of the prison. They have ascertained, by personal examination by a part of their body, that the dwelling in the prison is in bad repair, and the wall much injured, but do not think there is any danger of its falling down, except it should be in a vast storm, when frame buildings about the city would be equally dangerous. The Assistant Keeper has remained there, and the former Keeper, up to the time he resigned. The committee be-

lieve, if the Keeper apprehended danger from the injury the wall had sustained, it was his duty to have repaired it by the labor of the convicts, instead of leaving it to go to final destruction: they further believe if he, the Keeper, preferred paying rent to living as his predecessor had done, he should bear the loss. If the bill pass, you will pay eighteen hundred dollars, instead of fifteen hundred, what the law allows. Your committee think it would be wrong in itself, and be a bad precedent.

Mr. Boone moved to receive and agree to said report.

Mr. Sharpe called for a division of the question;

Which was had, first upon the reception of said report;

Which was decided in the affirmative.

The question was next had upon agreeing to said report;

Which was decided in the affirmative.

Mr. Lake, from the standing committee on the judiciary, made the following report, to-wit:

Mr. President—The standing committee on the judiciary, to whom was referred the bill entitled, an act to amend the law regulating appeals and writs of error, have had the same under consideration, and being unable to discover any good reasons for recommending its passage, have instructed me to report against it. The bill proposes to allow defendants, against whom judgments or decrees have been rendered, and who have real estate enough to satisfy such judgments or decrees, otherwise unincumbered, to prosecute an appeal or writ of error with supersedeas, without giving any security for the debt whatever. The committee are of opinion this ought not to be allowed.

When a judgment or decree is renderred, a strong probability of indebtedness is certainly made out, and the committee think that it would be very unjust to plaintiffs to subject them to the delay and harrassment necessarily incident to a writ of error with supersedeas, without the advantage of increased security. If defendants are in the condition contemplated by the bill, it will not inconvenience them to give the security now required by law.

On motion of Mr. Lake,

The report was received.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled

bills, have this day examined bills of the following titles, to-wit:

An act to provide for the removal of the seat of justice in Yazoo county;

A resolution of the Legislature of the State of Mississippi to the Congress of the United States, relative to the condition of the 2d Mississippi Rifles, and the Battalion in New Orleans;

An act to change the time of holding the circuit courts in the seventh judicial district;

An act for the relief of W. W. Smith, of Panola county;

And have found the same correctly enrolled.

Mr. Alcorn, from the standing committee on internal improvements, made the following report, to-wit:

MR. PRESIDENT—The committee on internal improvements have had under consideration the petition of Christopher S. Morris, of Hinds county, praying an appropriation of a portion of the State lands to works of internal improvement in Issaquena county. Your committee are clearly of opinion that there is no disposition on the part of the present Legislature to appropriate any of said improvement land to objects of internal improvement, and that it would be only a waste of time to report a bill in answer to the prayer of the petitioner. They would, therefore, respectfully ask to be discharged from its further consideration.

On motion of Mr. Alcorn,

The report was received.

On motion of Mr. Wilborne,

The report was laid on the table.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Beene, Bradford, Cannon, Carter, Catching, Davis, Gray, Greer, Harrison, McDugald, Price, Pettus, Ramsay, Stewart, White and Wilborne—18 votes.

NOES—Messrs. Alcorn, Guion, Hodges, Johnson, Kennedy, Lake, Labauve, Pegues and Sharpe—9 votes.

Mr. Stewart, from the standing committee on education, to whom had been referred the petition of A. R. Johnston and others, in relation to the Raymond Female Academy, reported

A bill to be entitled,

An act for the relief of the Raymond Female Institute;

Which was read the first time.

On motion of Mr. Stewart,

The report was received.

On motion of Mr. Guion,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Guion,

Said bill was ordered to be engrossed for a third reading on Monday next.

Mr. Stewart, from the committee on education, to whom had been referred the petition of A. L. Dabney and others, in relation to the Raymond Female Academy, reported

A bill to be entitled,

An act to incorporate the Raymond Female Institute;

Which was read the first time.

On motion of Mr. Stewart,

The report was received.

On motion of Mr. Guion,

The constitutional rule was suspended,

And the bill was read the second time by title.

On the further motion of Mr. Guion,

Said bill was ordered to be engrossed for a third reading on Monday next.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills have examined bills of the following titles, to-wit:

A bill to be entitled,

An act to extend the rail road eastwardly beyond Jackson;

A bill to be entitled,

An act for the election of a Clerk of the Superior Court of Chancery;

A bill to be entitled,

An act to amend an act reducing the fees of certain officers therein named, approved 10th February, 1844, so far as the same relates to the counties of Harrison and Smith;

And have found the same correctly engrossed.

Mr. Price, from the committee on the judiciary, made the following report, to-wit:

Mr. President—The judiciary committee, to whom were re-

ferred a bill to be entitled an act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, and other societies and companies, originating in the House of Representatives, as also the bill offered in the Senate as a substitute for the House bill, entitled an act incorporating all bodies and societies of Ancient Free Masonry, and Odd Fellows, and other secret associations of professed social, moral, and charitable objects, have had each of these bills under consideration, and have instructed me to report back the bill originating in the House, and recommend its passage. The bill originating in the House of Representatives embraces a larger class of cases who apply to the Legislature for acts of incorporation, and is more simple in its details than the substitute which is offered, and is also free from the objection that might be urged as to the constitutional right of the Legislature to confer upon the courts of the country the power to grant incorporations and exclusive franchises, and investing them with power to hold large amounts of property.

On motion of Mr. Price,

The report was received.

Mr. Alcorn asked and obtained leave to the introduction of

A bill to be entitled,

An act to amend an act entitled an act to incorporate the Locopolis Rail Road Company, approved 18th February, 1846;

Which was read the first time.

On motion of Mr. Alcorn,

The constitutional rule was suspended,

And said bill was read the second time forthwith, by title.

On the further motion of Mr. Alcorn,

The bill was considered as engrossed, the rule further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Boone presented the claim of W. Clark, Ex-Treasurer; which,

On his motion,

Was referred to the committee on claims.

Mr. Ramsay asked and obtained leave to the introduction of

A bill to be entitled,

An act to prohibit the burning of woods in certain counties therein named;

Which was read the first time.

On motion of Mr. Ramsay,

The constitutional rule was suspended,

And said bill was read the second time forthwith, by title.

On the further motion of Mr. Ramsay,

The bill was ordered to be engrossed for a third reading on Monday next.

Mr. Kennedy, from the standing committee on finance, made the following report, to-wit:

MR. PRESIDENT—The standing committee on finance, to whom was referred a petition of merchants and traders of Holly Springs, praying such a change in the revenue law of the State so as to tax the transient traders of merchandise higher than the regular merchant, have had the same under consideration, and a majority of the committee instructed me to report that, in their opinion, the subject does not require further legislation. Upon the examination of the revenue laws of 1844 and 1846, it will be discovered that an ad valorem tax of two and one-half per cent. is now required by law on all merchandize sold by an auctioneer or transient vendor of goods, while the regular merchant is only required to pay three-tenths of one per cent. All which is respectfully submitted, and the committee beg to be discharged from the further consideration of the subject.

On motion of Mr. Kennedy,

The report was received and agreed to.

Mr. Gray presented the petition of Anna Martins; which,

On his motion,

Was referred to a select committee of three.

Messrs. Gray, Wilborne and Cannon, were appointed said committee.

Mr. Price called from the table,

A bill to be entitled,

An act to provide for the leasing of the Chickasaw school lands;

Which was read the second time.

On motion of Mr. Price,

Said bill was committed to the whole house, and made the special order of the day for Tuesday next, at 12 o'clock, M.

Mr. Boone called for the consideration of

A bill to be entitled,

An act to provide for the sale of lands purchased by the State at tax sales;

Which was read the second time.

Mr. Bradford offered the following amendment, to-wit:

Section . *Be it further enacted*, that persons owning said land at the time the same was bid off by the State, or his, her or their transferees, agents or attorneys, shall have the privilege, at any time previously to the sale, on application to the Sheriff, of redeeming the same by paying the sheriff the amount bid by the State on the same, together with all interest, costs and charges, that may have accrued thereon to the time of redemption.

Mr. Alcorn offered the following amendment to the amendment, to-wit:

Add "and upon the failure of such person to redeem, any person residing upon any of said land, shall be entitled to one hundred and sixty acres thereof under the same privileges—he filing an affidavit with said sheriff, that he owns no land in any State or territory in the Union;"

Which was adopted.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. Presidsnt, Messrs. Alcorn, Boone, Beene, Cannon, Carter, Catching, Davis, Gray, Greer, Harrison, Hodges, Kennedy, Labauve, McDugald, Pegues, Sharpe and Stewart—18 votes.

NOES—Messrs. Bradford, Guion, Johnson, Lake, Price, Pettus, Ramsay, White and Wilborne—9 votes.

The question was next had on the amendment as amended;

Which was decided in the affimative.

On motion of Mr. Labauve,

Said bill as amended, was ordered to be engrossed, and made the special order of the day for its third reading on Monday next.

The following message was received from the House of Representatives, through their clerk, viz:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act granting a charter for a ferry at Barton;

A bill to be entitled,

An act to define the line between the 46th and 59th regiments of Mississippi Militia in Itawamba county;

A bill to be entitled,

An act to incorporate the Deer Creek Rail Road Company;

A memorial of the Legislature of the State of Mississippi to the Congress of the United States now in session, praying the cession of certain public lands for the improvement of the navigation of Big Black River;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed Senate bills of the following titles:

A bill to be entitled,

An act to legalize the lease of the 16th sections in Pike county;

A bill to be entitled,

An act to provide for the support of the poor in the city of Jackson;

A bill to be entitled,

An act to change the time of holding the court of probates for Tippah and Tishemingo counties:

And have made an amendment to the last named bill;

In which I am instructed to desire the concurrence of the Senate.

The House have concurred in the amendments made by the Senate to a bill from the House, entitled,

An act to provide for the removal of the seat of justice in Yazoo county;

And also a resolution of the House relative to the condition of the second Mississippi regiment, and battalion in New Orleans.

The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to provide for and establish common schools;

A bill to be entitled,

An act for the further endowment of the University of Mississippi;

A bill to be entitled,

An act to amend and reduce into one, the several acts in relation to the revenue of this State, and for other purposes.

Mr. White asked and obtained leave to the introduction of

A bill to be entitled,

An act to change the time of holding the Circuit courts in the third judicial district of this State;

Which was read the first time.

On motion of Mr. White,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On motion of Mr. Hodges,

Said bill was referred to the committee on the judiciary.

Mr. Hodges gave notice that he would, on Monday next, move a reconsideration of the vote by which the report of the committee on claims was agreed to, on a bill from the House of Representatives, to be entitled,

An act for the relief of James W. Wade, late Superintendent of the Penitentiary;

Mr. Davis from the committee on enrolled bills, made the following report, viz:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day presented for the approval and signature of his Excellency, the Governor, a bill of the following title, to-wit:

An act for the relief of W. W. Smith of Panola county.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have adopted the following resolution:

Resolved, (the Senate concurring), that a joint select committee of five on the part of the House, and on the part of the Senate, be raised for the purpose of inquiring into the propriety of reducing the number of under clerks employed by the Legislature; and have appointed as said committee, on the part of the House, Messrs. Houston, Walker, Whitfield, Alderson and Foote of Noxubee;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to dispose of the public buildings at Athens, Monroe county;

A bill to be entitled,

An act to extend the time of holding the Probate court of Marshall county;

A bill to be entitled,

An act to amend an act to incorporate the Lexington and Honey Island Turnpike Company, approved February 26th, 1846;

In which I am instructed to desire the concurrence of the Senate.

Mr. White asked and obtained leave to the introduction of

A bill to be entitled,

An act to amend the revenue laws of this State;

Which was read the first time.

On motion of Mr. White,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On motion of Mr. Greer,

Said bill was laid on the table.

Mr. Harrison called for the consideration of the amendments made by the House of Representatives, to a bill from the Senate, to be entitled,

An act to change the time of holding the courts of the sixth judicial Circuit court district.

On motion of Mr. Harrison,

Said amendments were concurred in.

Mr. Lake called for the consideration of a resolution in relation to the formation of a new judicial district;

Which was read the second time and adopted forthwith.

Mr. Guion, the honorable Senator from the county of Hinds,

On his motion,

Had leave of absence granted him, for a few days during the succeeding week.

Mr. Gray called for the consideration of

A bill to be entitled,

An act to regulate the practice of the Circuit courts in certain cases;

Which was read the second time forthwith.

On motion of Mr. Gray,

The bill was considered as engrossed, the rule further suspended, and the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Ramsay asked and obtained leave of absence for Mr. McAffee, the honorable Senator from the counties of Covington, Jones, Wayne and Green, for a few days.

On motion of Mr. Sharpe,

The Senate adjourned.

MONDAY, FEBRUARY 7, 1848.

The Senate met pursuant to adjournment.

The Journal of Saturday was read.

Messrs. Guion, Alcorn, and Kennedy, were appointed a committee of three under the resolution adopted on Saturday last, in relation to the formation of a new judicial district.

Mr. Catching introduced to the Senate, William A. Stone, the honorable Senator elect from the counties of Lawrence and Marion, who gave in his credentials, was sworn in and took his seat.

Mr. Cannon presented the memorial of S. B. Malone and others;

Which on his motiou,

Was referred to a select committee of three, consisting of Physicians:

Messrs. Wilborne, Sharpe, and Hodges, were appointed said committee.

Mr. Ramsay, from the select committee, made the following report, to-wit:

MR. PRESIDENT—The select committee to whom was referred, a bill to be entitled, "an act to authorize the citizens of Hancock county to locate the seat of justice of said county and for other purposes," have had the same under cansideration, and have instructed me to report an amendment thereto, which is herewith submitted, and to recommend the passage of the bill as thus amended.

On motion of Mr. Ramsay,

The report was received and agreed to.

On the further motion of Mr. Ramsay,

The amendment was ordered to be engrossed for a third reading with the bill on to-morrow.

Mr. Greer, from the joint standing committee on the Penitentiary, to whom was referred,

A bill to be entitled,

An act for the benefit of convicts in the penitentiary;

Reported said bill back without amendment, and recommend it to the favorable consideration of the Senate.

On motion of Mr. Greer,

The report was received.

Mr. McDugald presented the claim of C. W. Waldron & Co.; which

On his motion,

Was referred to the committee on claims.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

MR. PRESIDENT—The committee on engrossed bills have this day examined bills of the following titles; to-wit:

A bill to be entitled,

An act to prohibit the burning of woods in certain counties therein named;

A bill to be entitled,

An act for the relief of the Raymond Female Institute;

A bill to be entitled,

An act to incorporte the Raymond Female Institute;

A bill to be entitled,

An act to provide for the sale of lands purchased by the State at tax sales;

And have found the same correctly engrossed.

Mr. Cannon asked and obtained leave to the introduction of

A bill to be entitled,

An act for the relief of Richard S. Steele;

Which was read the first time.

On motion of Mr. Cannon,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Cannon,

The bill was considered as engrossed, the rule further suspended and the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Price asked and obtained leave to the introduction of

A bill to be entitled,

An act to authorize Robert B. Miller to remove the property of Clarence Miller out of the limits of this State;

Which was read the first time.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act to incorporate the president and trustees of the Aberdeen Female Academy in the town of Aberdeen;

An act for the relief of W. W. Smith of Panola county;

An act to incorporate Camden Male Academy in the county of Madison, approved February 5th, 1848;

Also, an act for the relief of Zebulon P. Wardell, approved February 7th, 1848.

On motion of Mr. Lake,

The following protest was ordered to be spread on the Journals, to-wit:

MR. PRESIDENT—"When the ayes and noes were taken on the bill to be entitled, an act to provide for the sale of the 500,000 acres of land donated to the State of Mississippi by the Congress of the United States for purposes of Internal Improvement," the undersigned voted in the negative, and being desirous that the Journals of the Senate shall exhibit their true position in reference to said bill, pray that this paper may be inserted as explanatory of their votes.

They yield to no Senator in their desire to see the bonds issued by the State on account of the Planters Bank paid, for they hold that the State is bound by every principle of justice and good faith to make arrangements for the immediate liquidation of those already due, and to meet those that are to become due. But they desire to see them paid out of funds that the Legislature have a right to appropriate to that object, and not out of a fund held by the State in trust for other and different purposes.

The bill orders a sale of the 500,000 acres of land and provides that the bonds shall be received in payment of the purchasers bids. Now the undersigned think that a sale of the land for the bonds is an appropriation of the land in payment of the bonds; but the State of Mississippi has no right to appropriate land to the payment of her debts which she holds in trust only, to be applied to different specified purposes in which the grantor has a direct interest; and hence they concluded that this bill, if permitted to become a law would divert the 500,000 acres of land from the declared purposes of the grant, and be a clear violation of the trust and confidence reposed in the State. For these reasons they voted in the negative.

W. A. LAKE,

JAMES L. ALCORN.

The Senate proceeded to the consideration of the orders of the day:

A bill to be entitled,

An act to amend an act, to incorporate the town of Monticello, approved February 6th, 1827, and to define the corporate limits of said town,

Was read the second time.

A bill to be entitled,

An act to incorporate Tombigbee Encampment No. 6, of the Independent Order of Odd Fellows, in the town of Columbus,

Was read the second time.

Mr. Price called for the consideration of a bill from the House of Representatives to be entitled,

An act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, and other societies and companies;

Which was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Catching,

A bill to be entitled,

An act to incorporate the McKendree Lodge No. 32, of the Independent Order of Odd Fellows,

Was laid on the table.

A bill to be entitled,

An act requiring members of the boards of police of the several counties to act as overseers of the poor,

Was read the first time.

On motion of Ramsay,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

A memorial of the Legislature of Mississippi to the Senate and House of Representatives of the United States in Congress assembled,

Was read the first time.

Mr. Sharpe moved to suspend the rule and read the memorial the second time forthwith,

Which was lost.

Mr. Hodges, from a select committee to whom had been referred, so much of the Governors Message as relates to the establishment of an institution for the instruction of the blind, reported

A bill to be entitled,

An act to aid in the establishment of an institution for the instruction of the blind,

Which was read the first time.

On motion of Mr. Singleton,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Singleton,

The bill was committed to the whole house, and made the order of the day for to-morrow.

The following message was received from the House of Representatives, through their clerk, to-wit:

Mr. President—The House of Representativs have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to amend the several acts in relation to tippling and retailing;

A bill to be entitled,

An act to amend an act, to free from taxation the soldiers of the revolutionary war;

A bill to be entitled,

An act to incorporate the Canton Insurance Company;

A bill to be entitled,

An act to provide fer publishing the decisions of the high court of errors and appeals of this State;

A bill to be entitled,

An act to provide for the appointment and compensation of clerks for the legislature;

A bill to be entitled,

An act to amend the road laws of this State;

A bill to be entitled,

An act to revise and amend the stray laws;

A bill to be entitled,

An act further to provide for the public revenue;

A bill to be entitled,

An act to amend the laws to provide for the public revenue;

A bill to be entitled,

An act to amend the 1st. section of an act, entitled an act, to secure to the owners of slaves executed by sentence of law compensation for the same, approved February 18th, 1846;

A bill to be entitled,

An act for the relief of James E. Matthews.

Mr. Boone called for the consideration of

A bill to be entitled,

An act to provide for the call of a convention of the people of this State to form a new constitutioa;

The Senate refused to go into committee of the whole on said bill.

On motion of Mr. Stewart,

The consideration of said bill was postponed until Wednesday next, and made the special order of the day in committee of the whole at 11 o'clock, A. M.

Mr. Wilborne called from the table,

A bill to be entitled,

An act to establish a Lunatic Asylum for the State of Mississippi;

Which was read the second time.

On motion of Mr. Wilborne,

Said bill was committed to the whole house, and made the special order of the day for Thursday next.

On motion of Mr. Boone,

The Senate concurred in the amendments made by the House of Representatives to a bill from the Senate to be entitled,

An act to change the time of holding the court of probates for Tippah and Tishemingo counties.

A bill to be entitled,

An act to dispose of the public buildings in Athens, Monroe county,

Was read the first time.

On motion of Mr. Harrison,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Harrison,

The rule was further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to legalize the lease of sixteenth sections in Pike county;

An act to provide for the support of the poor in the city of Jackson;

An act to change the times of holding the courts of the sixth judicial circuit district;

And have found the same correctly enrolled.

A bill to be entitled,

An act to amend an act to incorporate the Lexington and Honey Island Turnpike Company, approved February 20th, 1846,

Was read the first time.

On motion of Mr. Boone,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Boone,

The rule was further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to extend the time of holding the probate courts of Marshall county,

Was read the first time.

On motion of Mr. Greer,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Greer,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A resolution of the Legislature of the State of Mississippi, in relation to the report of Col. Jefferson Davis,

Was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And said resolution was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

The rule was further suspended,

And the resolution was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

A memorial of the Legislature of the State of Mississippi to the Congress of the United States now in session, praying the cession of certain public lands for the improvement of the navigation of Big Black river.

Was read the first time.

On motion of Mr. Kennedy,

The constitutional rule was suspended,

And said memorial read the second time forthwith, by title,

On the further motion of Mr. Kennedy,

The rule was further suspended,

And the memorial read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to amend an act entitled an act to incorporate the Canton and Jackson Rail Road Company, approved 1st February, 1841;

An act to incorporate the trustees of Eureka Masonic College, at Richland, Holmes county;

An act to provide for the removal of the seat of justice in Yazoo county;

An act to change the time of holding the circuit courts in the seventh judicial district in this State.

A bill to be entitled,

An act granting a charter for a ferry at Barton,

Was read the first time.

On motion of Mr. Cannon,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Cannon,

The rule was further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to define the line between the forty-sixth and fifty-ninth regiments of the Mississippi militia, in Itawamba county,

Was read the first time.

On motion of Mr Beene,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Beene,

The rule was further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate the Deer Creek Rail Road Company,

Was read the first time.

On motion of Mr. White,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. White,

The rule was further suspended,

And the bill was read the third time forthwith by title, and passed:

Ordered, that the title thereot be as stated.

Mr. Boone offered the following resolution, to-wit:

Resolved, The Auditor of Public Accounts be requested to inform the Senate, at as early an hour as possible, what amount of money has been furnished by the State since the year 1836, either by appropriation, loan or otherwise, to the Mississippi and Alabama Rail Road, the Jackson and Brandon Rail Road and Bridge Company, or for the Jackson and Brandon Turnpike and Bridge Company, and how, if report has been made, the said sums have been applied, and what are the securities to the State for the refunding the same to the State;

Which was adopted.

On motion of Mr. Labauve,

A bill to be entitled,

An act to extend the rail road eastwardly beyond Jackson,

Was made the special order of the day in committee of the whole for Wednesday next.

A bill to be entitled,

An act to provide for the sale of lands purchased by the State at tax sales,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Price,

A bill to be entitled,

An act concerning the code of Mississippi,

Was postponed until Thursday next, and made the special order of the day in committee of the whole.

On motion of Mr. Labauve,

A bill to be entitled,

An act to provide for the payment of the Planters Bank bonds and coupons, issued by the State on account of the Planters Bank,

Was laid on the table.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Beene, Bradford, Carter, Catching, Davis, Greer, Hodges, Johnson, Kennedy, Labauve, McDugald, Price, Pegues, Sharpe, Stone and Wilborne—18 votes.

NOES—Messrs. Alcorn, Cannon, Gray, Harrison, Lake, Pettus, Ramsay, Stewart and White—9 votes.

Mr. Singleton, the honorable Senator from the counties of Madison and Scott,

On his motion,

Had leave of absence granted him for a short period.

A bill to be entitled,

An act for the relief of Israng and Wagner,

Was read the second time.

On motion of Mr. White,

Said bill was indefinitely postponed.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Beene, Catching, Gray, Greer, Harrison, Hodges, Johnson, Lake, Pegues, Pettus, Ramsay, Stewart, Stone and White—15 votes.

NOES—Messrs. Boone, Bradford, Cannon, Carter, Davis, Kennedy, Labauve, McDugald, Price, Sharpe and Wilborne—11 votes.

Mr. Sharpe moved an adjournment;

Which was lost.

Mr. Boone moved a recess until 4 o'clock;

Which was lost.

A bill to be entitled,

An act to define the boundary line of the counties of Coahoma and Tunica,

Was read the second time.

On motion of Mr. Labauve,

Said bill was ordered to be engrossed for a third reading on to-morrow.

The Senate refused to hear the motion entered on Saturday last by Mr. Hodges, to reconsider the vote by which the report of the committee on claims was agreed to, on

A bill to be entitled,

An act for the relief of James W. Wade, late Superintendent of the Penitentiary.

On motion of Mr. Pettus,

The Senate adjourned.

TUESDAY, FEBRUARY 8th, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Price asked and obtained leave to the introduction of

A bill to be entitled,

An act to incorporate the town of Spring Hill, in the county of Tippah;

Which was read the first time.

On motion of Mr. Price,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Price,

The bill was considered as engrossed, the rule further suspended, and the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Cannon asked and obtained leave to the introduction of

A bill to be entitled,

An act for the relief of William B. Kavanah;

Which was read the first time.

On motion of Mr. Cannon,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Cannon,

The bill was considered as engrossed, the rule further suspended, and the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act for the relief of James Foster, guardian of the persons and estate of the minor heirs of Linah G. Foster;

A bill to be entitled,

An act to amend an act to organize and establish Circuit courts, and define their powers and jurisdiction in law and equity, approved March 2d, 1833;

A bill supplementary to an act entitled an act to establish an inferior court of Chancery for the northern district of Mississippi;

A bill to be entitled,

An act to incorporate the town of Danville in the county of Tishemingo;

A bill to be entitled,

An act to remove the civil disabilities of Jackson Darden, a minor of Jefferson county;

A bill to be entitled,

An act for the relief of Edward Martin;

And have adopted the following resolution:

Resolved, (the Senate concurring), that the joint select committee, appointed to inquire into the expediency of leasing out the Penitentiary be, and they are hereby authorized, in the discharge of their duty, to send for persons and papers, and compel their appearance before them;

In all of which I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed bills from the Senate of the following titles:

A bill to be entitled,

An act to incorporate the officers and members of Vicksburg Divison No. 1 of the Sons of Temperance;

A bill to be entitled,

An act for the relief of Richard G. Steele;

A bill to be entitled,

An act to divide the 48th Regiment of Mississippi Militia;

A bill to be entitled,

An act to amend an act entitled an act to incorporate the Locopolis Rail Road Company, approved 18th February, 1846;

And have concurred in the Senate resolution, raising a joint select committee to inquire into the expediency of printing and publishing the public acts and resolutions only; and have appointed as said committee, on the part of the House, Messrs. Wall, Simrall, Liddell, Thomas of Marshall, and Valentine.

The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to absolve the bonds of matrimony between Isaac M. Shelby and Maria Dulany;

A bill to be entitled,

An act to regulate the admission of physicians and surgeons to the practice of medicine and surgery in the State of Mississippi.

The Speaker of the House of Representatives has signed,

An act to change the time of holding the courts of the 6th judicial Circuit court district;

An act to legalize the lease of the 16th sections in Pike county;

An act to provide for the support of the poor in the city of Jackson;

Which are herewith presented to the Senate for the signature of the President.

They have also passed a Senate bill to be entitled,

An act to incorporate the New Orleans and Ohio Telegraph Company.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate that he has approved and signed the following bill, to-wit:

An act to change the time of holding the circuit courts in the seventh judicial district in this State.

Approved February 7th, 1848.

Mr. Beene asked and obtained leave to the introduction of

A bill to be entitled,

An act supplemental to an act entitled an act to change the time of holding the Circuit courts in the seventh judicial district of this State;

Which was read the first time.

On motion of Mr. Beene,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Beene,

The bill was considered as engrossed, the rule further suspended. and the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The President announced that he had received from the Auditor of Public Accounts the following communication, to-wit:

AUDITOR'S OFFICE, Jackson, February 7, 1848.

Honorable D. Lipscomb, President of the Senate:

SIR—In obedience to a resolution of the Senate of this date, requiring me to "inform the Senate at as early an hour as possible, what amount of money has been furnished by the State, since the year 1836, either by appropriation, loan or otherwise, to the Mississippi and Alabama Rail Road, the Jackson and Brandon Rail Road and Bridge Company, or for the Jackson and Brandon Turnpike and Bridge Company; and how, if report has been made, the said sums have been applied, and what are the securities to the State for the refunding the same to the State:"

I have the honor to report, that the records of this office do not afford any evidence that any amount of money has been furnished by the State, "since the year 1836, either by appropriation, loan or otherwise," to the companies mentioned in said resolution.

Respectfully submitted,

GEORGE T. SWANN,

Auditor of Public Accounts.

Mr. Davis, from the committee on enrolled bills, made the following report, viz:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to change the time of holding the court of probates, for Tippah and Tishemingo counties;

An act granting a charter for a ferry at Barton;

An act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, and other societies and companies;

An act to amend an act to incorporate the Lexington and Honey Island Turnpike Company, approved February 26th, 1846;

An act to extend the time of holding the Probate court of Marshall county;

An act to define the line between the forty-sixth and fifty-ninth regiments of the Mississippi Militia, in Itawamba county;

An act to dispose of the public buildings in Athens, Monroe county;

A resolution of the Legislature of the State of Mississippi, in relation to the report of Col. Jefferson Davis;

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States now in session, praying the cession of certain public lands for the improvement of the navigation of Big Black River;

And have found the same correctly enrolled.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed,

An act to define the line between the 46th and 59th regiments of the Mississippi Militia, in Itawamba county;

An act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, and other societies and companies;

An act to change the time of holding the court of probates, for Tippah and Tishemingo counties;

An act to extend the time of holding the Probate court of Marshall county;

An act granting a charter for a ferry at Barton;

An act to amend an act to incorporate the Lexington and Honey Island Turnpike Company, approved February 26th, 1846;

An act to dispose of the public buildings in Athens, Monroe county;

A resolution of the Legislature of the State of Mississippi, in relation to the report of Col. Jefferson Davis;

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States now in session, praying the cession of certain public lands, for the improvement of the navigation of Big Black River;

Which are herewith presented to the Senate for the signature of the President.

The President signed the bills in said message mentioned.

Mr. Harrison asked and obtained leave to the introduction of

A bill to be entitled,

An act for the benefit of the Aberdeen Female Academy;

Which was read the first time.

On motion of Mr. Harrison,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Harrison,

The bill was considered as engrossed, the rule further suspended and the bill read the third time forthwith and passed;

Ordered, that the title thereof be as stated.

The Senate proceeded to the consideration of the orders of the day:

Mr. Price called from the orders,

A bill to be entitled,

An act to incorporate the mutual life insurance company of Mississippi;

Which was read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Catching called for the consideration of

A bill to be entitled,

An act to amend the laws in relation to writs of injunction *ne exeat* and *supersedeas*;

Which was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Harrison called for the consideration of the resolution from the House of Representatives, raising a joint select committee of five on the part of the House, and on the part of the Senate, for the purpose of inquiring into the propriety of reducing the number of under clerks employed by the Legislature.

Mr. Labauve moved to lay said resolution on the table;

Which was lost.

Mr. Harrison called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Johnson, Price, Ramsay and Sharpe—4 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Cannon, Carter, Catching, Davis, Gray, Greer, Harrison, Kennedy, Lake, Labauve, McDugald, Pegues, Pettus, Stewart, Stone, White and Wilborne—21 votes.

On motion of Mr. Harrison,

Said resolution was concurred in.

Mr. Harrison called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Beene, Bradford, Cannon, Carter, Catching, Davis, Gray, Greer, Harrison, Kennedy, Lake, McDugald, Pegues, Pettus, Stewart, Stone, White and Wilborne —20 votes.

NOES—Messrs. Hodges, Johnson, Labauve, Price, Ramsay and Sharpe—6 votes.

On motion of Mr. Harrison,

The blank in said resolution was filled with the number three.

Messrs. Harrison, Beene and Price, were appointed said committee.

A bill to be entitled,

An act to amend an act entitled an act to incorporate the town of Monticello, approved 6th February, 1827, and to define the corporate limits of said town,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

MR. PRESIDENT—The committee on engrossed bills have examined a bill of the following title, to-wit:

A bill to be entitled,

An act to define the boundary line of the counties of Coahoma and Tunica;

And an amendment made by the Senate, to a bill from the House of Representatives, to be entitled,

An act to authorize the citizens of Hancock county to locate the seat of justice of said county, and for other purposes;

And have found the same correctly engrossed.

On motion of Mr. Gray,

A bill to be entitled,

An act to incorporate Tombigbee Encampment No. 6, of the Indepennent Order of Odd Fellows, in the town of Columbus;

Was laid on the table.

A bill to be entitled,

An act requiring members of the boards of police of the several counties, to act as overseers of the poor;

Was read the third time,

And put on its passage and lost.

A memorial of the Legislature of Mississippi to the Senate and House of Representatives of the United States in Congress assembled,

Was read the second time.

Mr. Stone offered the following amendment, to-wit:

Also to grant to the trustees of townships, in every case where the sixteenth sections were sold by congress, and no provision made in lieu of it for schools, the privilege of locating another section, upon any uaappropriated lands in the State;

Which was adopted.

On motion of Mr. Ramsay,

The amendment was ordered to be engrossed for a third reading, with the memorial, on to-morrow.

A bill to be entitled,

An act to authorize the citizens of Hancock county to locate the seat of justice of said county, and for other purposes,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Price called for the consideration of

A bill to be entitled,

An act to provide for the leasing of the Chickasaw school lands;

And forthwith the Senate resolved itself into committee of the whole on said bill;

And after some time spent therein, the committee rose; and,

Mr. Labauve reported progress, and asked leave to sit again on to-morrow at 12 o'clock, M.

On motion of Mr. Labauve,

The report was received and leave granted.

On motion of Mr. Lake,

The Senate adjourned.

WEDNESDAY, FEBRUARY, 9, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Boone asked and obtained leave to the introduction of

A bill to be entitled,

An act to prevent the obstruction of navigable streams,

Which was read the first time.

On motion of Mr. Boone,

The constitutional rule was suspended,

And said bill ws read the second time forthwith by title.

On motion of Mr. White,

Said bill was referred to a select committe of three.

Messrs. White, Beene, and Stone were appointed said committee.

Mr. Wilborne, from a select committee to whom had been referred, the memorial of J. W. Hopkins, S. B. Malone, and others, (with the accompanying bill) for the benefit of practitioners of dentistry in this State, reported said bill back without amendment, and recommend that it do not pass.

On motion of Mr. Wilborne,

The report was received and agreed to.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act for the permanent location by the citizens, of the county seat of Coahoma county;

A bill to be entitled,

An act for the relief of William Halliburton;

A bill to be entitled,

An act to incorporate the town of Hillsborough in Scott county;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have given leave to the introduction of

A bill to be entitled,

An act to amend the several laws of this State, prescribing the mode of proceeding against incorporated banks, and against other persons pretending to exercise corporate franchises under acts of incorporation and for other purposes.

Mr. Lake presented the claim of W. E. Terrell,

Which on his motion,

Was referred to the committee on claims.

Mr. Stewart presented the petition of Thomas Blewit Godbold, and accompanied said petition with

A bill to be entitled,

An act for the relief of Thomas Blewit Godbold;

Which was read the first time.

On motion of Mr. Stewart,

The constitutional rule was suspended,

And said bill read the second time forthwith by title.

On the further motion of Mr. Stewart,

The bill was referred to a select committee of three.

Messrs. Stewart, Davis, and Lake were appointed said committee.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have examined bills of the following titles, to-wit:

An act to amend an act, entitled an act, to incorporate the town of Monticello, approved February 6th, 1827 and to define the corporate limits of said town;

An act for the relief of Richard G. Steele;

An act to amend an act, entitled an act, to incorporate the Locopolis Railroad Company, approved February 18th, 1846;

An act to divide the forty-eighth regiment Mississippi Militia;

An act to incorporate the officers and members of Vicksburg Division No. 1, of the Sons of Temperance;

An act to incorporate the New Orleans and Ohio Telegraphic Company;

An act to incorporate the Deer Creek Railroad Company;

And have found the same correctly enrolled.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

MR. PRESIDENT—The committee on engrossed bills, have this day examined an amendment made by the Senate to a memorial of the House of Representatives, entitled "a memorial of the Legislature of Mississippi to the Senate and House of Representati[illegible]f the United States in Congress assembled."

And have found the same correctly engrossed;

Mr. Price presented the claim of William H. Pope,

Which on his motion,

Was referred to the committe on claims.

Mr. Hodges, in accordance with previous notice, moved a recon-

sideration of the vote entered on Saturday last, by which the report of the committee on claims was agreed to, on a bill from the House of Representatives,

To be entitled,

An act for the relief of James W. Wade, late superintendent of the Penitentiary.

The question was had on said motion,

Which was decided in the affirmative.

Mr. Sharpe moved to recommit said bill and all the accompanying documents forthwith to the committee on claims;

Which was lost.

Mr. Cannon moved to commit said bill and all the accompanying documents to the committee on the Penitentiary;

Which was lost.

On motion of Mr. Wilborne,

The bill and all the accompanying documents were referred to a select committee of three.

Messrs. Wilborne, Cannon, and Steel were appointed said committee.

The Senate proceeded to the consideration of the orders of the day.

The Senate forthwith resolved itself into a committee of the whole, on

A bill to be entitled,

An act to provide for the leasing of the Chickasaw Scool lands;

And after some time spent therein, the committee rose, and Mr. Labauve reported said bill back with sundry amendments, and asked leave to set again to-morrow, 11 o'clock A. M.

On motion of Mr. Labauve,

The report was received.

The question was had on setting to-morrow, 11 o'clock A. M.;

Which was lost.

Mr. Wilborne moved to set again to-night, half past 7 o'clock P. M.;

Which was lost.

Mr. Pettus moved to sit again at 3 o'clock P. M.;

Which was lost

On motion of Mr. Boone,

The report of the committee of the whole was agreed to.

Mr. Alcorn offered the following amendment, to-wit:

Be it further enacted, that J. L. Bridges, Jacob McGee, Daniel Connell, and Joshua L. Champion, of Coahoma county, be authorized to enter at the price of $2 50 per acre, the several pre-emptions heretofore entered by them under the laws of the general government, by L. S. Bridges, the north-west quarter section 19, T. 28, and range 2 west; Jacob McGee, the north-west quarter of section 23, T. 30, in range 3 west; Daniel Connell, lots 9, 10, 15 and 16, section 23, T. 30, range 3; and J. L. Champion, the east half of the north-west quarter of section 26, T. 29, range 3 west; which entries shall be made and governed by the same rules and regulations as other entries.

Pending the question on the amendment,

Mr. Catching, the honorable Senator from the counties of Copiah and Simpson, had temporary leave of absence granted him.

The following message was received from his excellency the Governor, through his private Secretary, to-wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act to legalize the case of sixteenth sections in Pike county;

An act for the relief of James S. Prichard, John B. Moore, and Nathan B. Whitehead;

An act to change the time of holding the courts of the sixth judicial circuit court district;

An act to provide for the support of the poor in the city of Jacksn;

An act to change the time of holding the court of probates for Tippah and Tishemingo counties, approved February 9th, 1848.

Mr. Cannon moved the rejection of the amendment to the last named bill, entitled

An act to provide for the leasing of the Choctaw School lands.

Pending the discussion thereon,

Mr. Labauve moved a recess until 3 o'clock P. M.;

Which was lost.

Mr. White moved an adjournment;

Which was lost.

On motion of Mr. Gray,

The Senate adjourned.

THURSDAY, FEBRUARY 10, 1848.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Harrison asked and obtained leave to the introduction of

A bill to be entitled,

An act to establish Keaton's ferry, on the Tombigbee river;

Which was read the first time.

On motion of Mr. Harrison,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Harrison,

The bill was considered as engrossed, the rule further suspended, and the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Lake asked and obtained leave to the introduction of

A bill to be entitled,

An act supplementary to an act entitled an act to establish a system of common schools, aud for other purposes, approved March 4th, 1846;

Which was read the first time.

On motion of Mr. Lake,

The constitutional rule was suspended,

And said bill was read the second time forthwith, by title.

On the further motion of Mr. Lake,

The bill was considered as engrossed, and the rule further suspended, and the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed:

An act to incorporate the Deer Creek Rail Road Company;

An act to amend an act entitled an act to incorporate the town of Monticello, approved 6th February, 1827, and to define the corporate limits of said town;

An act for the relief of Richard G. Steele;

An act to divide 48th regiment Mississippi militia;

An act to amend an act entitled an act to incorporate the Locopolis Rail Road Company, approved February 18th, 1846;

An act to incorporate the Officers and Members of Vicksburg Division No. 1, of the Sons of Temperance;

An act to incorporate the New Orleans and Ohio Telegraphic Company;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed:

Resolutions instructing and directing the Treasurer of the State to receive from the government of the United States, certain moneys therein named;

Also, a resolution of the Legislature of the State of Mississippi, relative to the discharged soldiers of the 1st Mississippi Rifles;

In which I am instructed to desire the concurrence of the Senate.

The President signed the bills in the message above mentioned.

Mr. Cannon asked and obtained leave to the introduction of

A bill to be entitled,

An act to prevent accidents and injuries in the sale and use of secret medicines;

Which was read the first time.

On motion of Mr. Cannon,

The constitutional rule was suspended,

And said bill was read the second time forthwith, by title.

On the further motion of Mr. Cannon,

The bill was referred to a select committee of three, consisting of physicians;

Messrs. Wilborne, Sharpe and Hodges, were appointed said committee.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to amend an act to incorporate the Lexington and Honey Island Turnpike Company, approved February 26, 1846;

An act to dispose of the public buildings in Athens, Monroe county;

An act to extend the time of holding the probate court of Marshall county;

An act extending certain privileges to Masons, Odd Fellows, Sons of Temperance, and other societies and companies;

An act granting a charter for a ferry at Barton;

A resolution of the Legislature of the State of Mississippi to the Congress of the United States, relative to the condition of the 2d Mississippi Rifles, and the Battalion in New Orleans;

A resolution of the Legislature of the State of Mississippi, in relation to the report of Col. Jefferson Davis;

A memorial of the Legislature of the State of Mississippi to the Congress of the United States now in session, praying the cession of certain public lands for the improvement of the navigation of Big Black river;

An act to change the time of holding the courts of the sixth judicial circuit court district;

An act to provide for the support of the poor in the city of Jackson;

An act to change the time of holding the court of probates for Tippah and Tishemingo counties;

An act for the relief of James S. Prichard, John B. Moore, and Nathan B. Whitehead;

An act to legalize the lease of sixteenth sections in Pike county.

The Senate proceeded to the consideration of the orders of the day.

A memorial of the Legislature of Mississippi to the Senate and House of Representatives of the United States in Congress assembled,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Hodges called for the consideration of the bill,

To be entitled,

An act to aid in the establishment of an institution for the instruction of the blind.

The Senate resolved itself into committee of the whole forthwith on said bill;

And after some time spent therein, the committee rose, and Mr. Harrison reported said bill back as amended, and recommend its passage.

On motion of Mr. Harrison,

The report was received and agreed to.

On motion of Mr. Alcorn,

The bill, as amended, was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled,

An act to incorporate the town of Danville, in the county of Tishemingo,

Was read the first time.

On motion of Mr. Boone,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Boone offered the following amendment, viz:

Amend 6th section in 9th line, after the word "resided," add "twelve months within the State," and,

Which was adopted.

Mr. Boone offered the following amendment, viz:

Section —. *And be it further enacted*, the provisions of this act be extended to the town of Rienzi, in said county, with the following incorporate limits, to-wit: bounded on the east by the centre of section 2, township 4, of range 7 east; on the north by the fourth township line; on the west by the centre of section 3, township 4, range 7 east; on the south by the south boundary line of section 3, township 4, range 7 east;

Which was adopted.

On motion of Mr. Boone,

The amendments were ordered to be engrossed and made the special order of the day for a third reading with said bill on to-morrow.

Mr. Boone offered the following rnsolution, viz:

Resolved, the Senate will hereafter have afternoon sessions, and meet in the morning at half past 9 o'clock, and hold till 2 o'clock P. M., and meet again at 3 o'clock, P. M.;

Which was adopted.

A bill to be entitled,

An act for the relief of Edward Martin,

Was read the first time.

On motion of Mr. Cannon,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Cannon,

The rule was further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to remove the civil disabilities of Jackson Darden, minor of Jefferson county,

Was read the first time.

Mr. Sharpe moved to lay said bill on the table;

Which was lost.

A bill to be entitled,

An act supplementary to an act entitled an act to establish an Inferior Court of Chancery for the Northern District of Mississippi,

Was read the first time.

A bill to be entitled,

An act to amend an act entitled an act to organize and establish circuit courts, and define their powers and jurisdiction in law and equity, approved March 2d, 1833,

Was read the first time.

A bill to be entitled,

An act for the relief of James Foster, guardian of the persons and estate of the minor heirs of Sinah G. Foster,

Was read the first time.

On motion of Mr. Cannon,

The Senate concurred in the following joint resolution from the House of Representatives:

Resolved, (the Senate concurring,) that the joint select committee appointed to enquire into the expediency of leasing out the Penitentiary, be and they are hereby authorized in the discharge of their duty, to send for persons and papers, and compel their appearance before them.

A bill to be entitled,

An act for a permanent location by the citizens of the county seat of Coahoma county,

Was read the first time.

On motion of Mr. Alcorn,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Alcorn,

Said bill was referred to a select committee of three.

Messrs. Alcorn, Labauve and Pegues, were appointed said committee.

A bill to be entitled,

An act to incorporate the town of Hillsborough, in Scott county,

Was read the first time.

On motion of Mr. Hodges,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Hodges,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of William Halliburton,

Was read the first time.

Mr. Labauve moved to suspend the rule, and read the bill the second time forthwith;

Which was lost.

The Senate resumed the consideration of the amendment offered by Mr. Alcorn, to the bill to be entitled, an act to provide for the leasing of the Chickasaw school lands.

Mr. Greer offered the following amendment to the amendment, to-wit:

Amend the amendment by striking out "$2 50," and inserting "$6 00;" and add, after the word "entries," in the last line, "and if either of the above named persons shall fail to enter the lease which by this section they are permitted to enter, before the day of sale, and the same should be sold to some other person, the person so purchasing, shall pay the full value of all the improvements which are made upon said land, at the time of the passage of this act.

The question was had on the adoption of the amendment, as amended;

Which was lost.

Mr. Harrison offered the following amendment to the amendment:

"And the State shall make good the difference between the price of two dollars and a half, and six dollars, to the Chickasaw school fund, in all cases where pre-emptions are allowed or granted on the Chickasaw school lands, and at the time such entry of pre-emption is made, the Treasurer of the State shall pay out of any

funds in the treasury not otherwise appropriated, the amount of the deficit as before provided for, and place the same to the credit of the Chickasaw school fund."

On motion of Mr. Labauve,

The last named amendment was rejected.

Mr. Boone offered the following amendment to the amendment:

Amend so as to let Bridges have his at $2 50 per acre, the others named, at $5 00.

On motion of Mr. Sharpe,

The last named amendment was rejected.

On motion of Mr. Alcorn,

Ordered, that the following amendment be added to the amendment by him offered on yesterday, to-wit: In the last line, after the word "regulations," insert, "and may enter the same at any time before the day appointed for the sale of the land."

The question was then had on the amendment of Mr. Alcorn;

Which was adopted.

Mr. Harrison called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Briscoe, Carter, Davis, Gray, Hodges, Johnson, Kennedy, Lake, Labauve, McDugald, McAffee, Price, Pegues, Pettus, Ramsay, Sharpe, Stewart, Stone, White and Wilborne—22 votes.

NOES—Messrs. Boone, Beene, Bradford, Cannon, Greer and Harrison—6 votes.

Mr. Wilborne offered the following amendment, to-wit:

Amend the third section by adding, after the word "silver," "bonds and coupons issued by the State on account of the Planters Bank."

On motion of Mr. Labauve, said amendment was rejected.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Boone, Beene, Bradford, Briscoe, Cannon, Carter, Davis, Gray, Greer, Harrison, Hodges, Johnson, Kennedy, Lake, Labauve, McAffee, Price, Pegues, Pettus, Ramsay, Sharpe, Stewart, Stone and White—26 votes.

NOES—Messrs. McDugald and Wilborne—2 votes.

On motion of Mr. Labauve,

Said bill, as amended, was ordered to be engrossed for a third reading, and made the special order of the day for to-morrow.

The Senate resolved itself into committee of the whole, on
A bill to be entitled,
An act to provide for the call of a Convention of the people of this State to frame a new Constitution;
And after some time spent therein, the committee rose, and
Mr. Bradford reported progress, and asked leave to sit again on to-morrow at 11 o'clock, A. M.

On motion of Mr. Bradford,
The report was received, and leave granted.
Mr. Stone asked and obtained leave to the introduction of
A bill to be entitled,
An act to increase the pay of jurors in the counties of Lawrence and Marion;
Which was read the first time.

On motion of Mr. Stone,
The constitutional rule was suspended,
And the bill was read the second time forthwith by title.

On the further motion of Mr. Stone,
Said bill was ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Boone,
The Senate took a recess until 3 o'clock P. M.

THREE O'CEOCK P. M.

The recess having expired,
The Senate met.
The Senate forthwith resolved itself into committee of the whole, on
A bill to be entitled,
An act concerning the Code of Mississippi;
And after some time spent therein, the committee rose, and
Mr. Cannon reported progress, and asked leave to set again on Monday next.

On motion of Mr. Cannon.
The report was received, and leave granted.

On motion of Mr. Carter,
A bill to be entitled,
An act to extend the rail road eastwardly beyond Jackson,

Was made the special order of the day for its third reading on to-morrow, 12 o'clock, M.

Mr. Davis from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day presented to his Excellency, for his approval and signature, bills of the following titles, to-wit:

An act for the relief of Richard G. Steele;

An act to divide the forty-eighth regiment Mississippi Militia;

An act to incorporate the officers and members of Vicksburg Division No. 1, of the Sons of Temperance;

An act to amend an act, entitled an act, to incorporate the Locopolis Railroad Company, approved February 18th, 1846;

An act to incorporate the New Orleans and Ohio Telegraph Company;

An act to amend an act entitled an act to incorporate the town of Monticello, approved 6th February, 1827, and to define the corporate limits of said town,

An act to incorporate the Deer Creek Railroad Company.

The Senate resolved itself into committee of the whole, on

A bill to be entitled,

An act to establish a lunatic asylum for the State of Mississippi;

And after some time spent therein, the committee rose, and

Mr. Briscoe reported said bill back as amended.

On motion of Mr. Briscoe,

The report was received and agreed to.

On motion of Mr. Labauve,

The bill and the amendments were laid on the table.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Davis, Gray, Harrison, Labauve, McDugald, McAffee, Price and Pettus—14 votes.

NOES—Mr. President, Messrs. Greer, Hodges, Kennedy, Lake, Pegues, Ramsay, Sharpe, Stewart, Stone, White and Wilborne—12 votes.

A bill to be entitled,

An act to define the boundary line of the counties of Coahoma and Tunica,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Alcorn called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Boone, Beene, Bradford, Briscoe, Cannon, Carter, Davis, Greer, Harrison, Hodges, Labauve, Price, Sharpe and Wilborne—16 votes.

NOES—Messrs. Gray, Lake, McAffee, Pegues, Pettus and Stewart—6 votes.

Messrs. Ramsay, Stone and White, were excused from voting on the passage of the last named bill.

Mr. Alcorn gave notice that he would, on to-morrow 11 o'clock, A. M., move a reconsideration of the vote on the bill last named.

A bill to be entitled,

An act to amend an act entitled an act to incorporate the town of Shieldsborough, and for other purposes,

Was read the third time.

Mr. Ramsay offered the following amendment, by way of ryder:

Section —. *Be it further enacted*, That it shall not be lawful for any person within the limits of said corporation, to obstruct or extend their fences to the edge of the bank or bluff; that they shall leave at least thirty-feet in front of their lot or lots, as a street or road;

Which was adopted.

And said bill, with its ryder, put on their passage, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to regulate the practice and proceedings in the High Court of Errors and Appeals of the State of Mississippi,

Was read the second time.

On motion of Mr. Price,

Said bill was laid on the table.

Mr. Stone asked and obtained leave to the introduction of

A bill to be entitled,

An act further to prohibit the selling or giving to slaves, spiritous or intoxicating lixuors;

Which was read the first time.

On motion of Mr. Stone,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Stone,

The bill was referred to the judiciary committee.

Mr. Pettus asked and obtained leave to the introduction of

A bill to be entitled,

An act for the relief of Ellen Cherry;

Which was read the first time.

On motion of Mr. Pettus,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. Pettus,

Said bill was referred to the committee on the judiciary.

Mr. Price, from a select committee, to whom had been referred the petition of sundry citizens of Tippah county, reported

A bill to be entitled,

An act to define the duties of the board of county police of Tippah county, and for other purposes, and recommend its passage;

Which was read the first time.

On motion of Mr. Price,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

Mr. Pettus offered the following amendment, to-wit:

"Amend by striking out section six;"

Which was lost.

On the further motion of Mr. Price,

The bill was considered as engrossed, the rule further suspended and the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to amend the several laws of the State in relation to courts of probate;

A bill to be entitled,

An act for the relief of the State Hospital of Mississippi, at Natchez;

In which I am instructed to desire the concurrence of the Senate.

The House have passed a Senate bill entitled,

An act supplemental to an act entitled an act to change the time of holding the Circuit courts in the seventh judicial district of this State.

Mr. Stewart, from a select committee, to whom was referred the petition and a bill to be entitled, an act for the relief of Thomas Blewit Godbold,

Reported said bill back without amendment, and recommend its passage.

On motion of Mr. Stewart,

The report was received and agreed to.

On motion of Mr. Hodges,

The Senate adjourned.

FRIDAY, February 11th, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Wilborne presented the memorial of Wm. Hundly, T. B. Ives and B. R. Cowherd;

Which was read; and,

On motion of Mr. Wilborne,

Said memorial was referred to a select committee of three.

Messrs. Wilborne, Boone and Bradford, were appointed said committee.

Mr. Guion presented the petition of John A. Grimball and another; which,

On motion of Mr. Guion,

Was referred to the committee on the judiciary.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act to remove the civil disabilities of Jackson Darden, minor of Jefferson county;

Was read the second time.

On motion of Mr. Briscoe,

The constitutional rule was suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have examined bills of the following titles, to-wit:

An act to incorporate the town of Hillsborough of Scott county;

An act for the relief Edward Martin;

And have found the same correctly enrolled.

A bill supplementary to an act entitled an act to establish an Inferior Court of Chancery for the northern district of Mississippi;

Was read the second time.

On motion of Mr. Greer,

The further consideration of said bill was postponed until Friday, this day week.

Mr. Hodges asked and obtained leave of absence for a few days, for Mr. Singleton, the honorable Senator from the counties of Madison and Scott.

A bill to be entitled,

An act to amend an act to organize and establish Circuit courts, and define their powers and jurisdiction in law and equity, approved March 2d, 1833;

Was read the second time.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills have this day examined bills of the following titles, to-wit:

A bill to be entitled,

An act to increase the pay of jurors in the counties of Lawrence and Marion;

A bill to be entitled,

An act to provide for the leasing of the Chickasaw school lands;

A bill to be entitled,

An act to aid in the establishment of an institution for the instruction of the blind;

Also amendments made by the Senate to a bill from the House of Representatives, to be entitled,

An act to incorporate the town of Danville, in the county of Tishemingo;

And have found the same correctly engrossed.

A bill to be entitled,

An act to incorporate the town of Danville, in the county of Tishemingo;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of James Foster, guardian of the persons and estate of the minor heirs of Sarah G. Foster;

Was read the second time.

A bill to be entitled,

An act for the relief of William Halliburton;

Was read the second time.

A bill to be entitled,

An act further to amend the several laws of the State, in relation to courts of Probate;

Was read the first time.

On motion of Mr. McDugald,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. McDugald,

Said bill was referred to the committee on the judiciary.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act to amend an act entitled an act to incorporate Locopolis Rail Road Company, approved February 18th, 1846;

An act to incorporate the officers and members of Vicksburg Division No. 1, of the Sons of Temperance;

An act to divide the 48th regiment Mississippi Militia;

An act for the relief of Richard G. Steel;

An act to incorporate the New Orleans and Ohio Telegraph Company.

Approved February 10th, 1848.

A bill to be entitled,

An act for the relief of the State Hospital of Mississippi, at Natchez;

Was read the first time.

Resolutions instructing and directing the Treasurer of the State to receive from the government of the United States, certain moneys therein named;

Were read the first time.

On motion of Mr. Labauve,

Said resolutions were laid on the table.

Mr. Cannon called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. Presidsnt, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Davis, Kennedy, Labauve, McDugald, McAffee, Price, Pegues, Pettus, Ramsay, Sharpe, Stone and Wilborne—18 votes.

Noes—Messrs. Carter, Gray, Greer, Guion, Harrison, Hodges, Lake, Stewart and White—9 votes.

A resolution of the Legislature of the State of Mississippi, relative to the discharged soldiers of the first Mississippi Rifles, &c.;

Was read the first time.

A bill to be entitled,

An act to provide for the leasing of the Chickasaw school lands;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

The Senate resolved itself into committee of the whole. on

A bill to be entitled,

An act to provide for the call of a convention of the people of this State, to form a new constitution;

And after some time spent therein, the committee rose; and,

Mr. Ramsay reported a bill of the following title, as a substitute for said bill, to-wit:

A bill to be entitled,

An act to take the sense of the people of the State of Mississippi, on the propriety of calling a convention to amend the constitution of the State.

With sundry amendments thereto.

Mr. Ramsay moved to receive and agree to said report.

Mr. Labauve called for a division of the question;

Which was had;

First upon receiving said report;

Which was decided in the affirmative.

On motion of Mr. Boone,

A call of the Senate was had.

The absentee was sent for.

On motion of Mr. Greer,

The call was suspended.

Mr. Guion moved the indefinite postponement of the substitute and the amendments thereto.

Pending the discussion thereon,

On motion of Mr. Pettus,

The Senate took a recess till 3 o'clock, P. M.

THREE O'CLOCK, P. M.

The recess having expired, the Senate met.

The motion entered previous to the recess, for the indefinite postponement of the substitute and the amendments thereto, to the bill to be entitled,

An act to provide for the call of a convention of the people of this State, to form a new constitution of the State,

Was continued.

Pending the discussion of said motion,

The following message was received from the House of Representatives, through their clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to authorize P. W. Hemphill, James Liddell and others, to erect a bridge or ferry over Big Black River, and construct a causeway through the swamp, where the road from Louisville to Carrollton crosses the same;

A bill to be entitled,

An act to incorporate the Houston Division No. 25, of the Sons of Temperance, in the town of Houston, Chickasaw county;

A bill to be entitled,

An act to extend the time of holding the Probate court of Noxubee county;

A resolution granting leave of absence to the Hon. R. C. Perry, and Hon. F. M. Rogers;

A bill to be entitled,

An act to change the time of holding the regular terms of the police court of Hancock county;

A bill to be entitled,

An act for the benefit of Thomas J. Likens of Washington county;

And have adopted the following joint resolution:

Resolved, (the Senate concurring), that the joint select committee on public printing, be, and they are hereby requested to inquire into the expediency of so changing the law in relation to public printing, that the same may be let out to the lowest bidder, on terms similar to the late act of Alabama, and that they report by bill or otherwise;

In all of which I am instructed to desire the concurrence of the Senate.

The House of Representatives have concurred in the amendments made by the Senate, to bills from the House of the following titles:

A bill to be entitled,

An act to authorize the citizens of Hancock county to locate the seat of justice of said county, and for other purposes;

A bill to be entitled,

An act to incorporate the town of Danville in the county of Tishemingo.

The House of Representatives have passed bills of the Senate, of the following titles:

A bill to be entitled,

An act to establish Keaton's ferry on the Tombigbee River;

A bill to be entitled,

An act to amend the laws relating to writs of injunction, *ne exeat* and *supersedeas;*

A bill to be entitled,

An act to incorporate the town of Spring Hill, in the county of Tippah;

A bill to be entitled,

An act for the relief of William B. Cavanah;

A bill to be entitled,

An act to incorporate the mutual life insurance company of Mississippi;

A bill to be entitled,

An act to amend an act entitled an act to incorporate the town of Shieldsborough, and for other purposes.

On motion of Mr. Stone,

The Senate adjourned.

SATURDAY, FEBRUARY 12, 1848.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

On motion of Mr. Alcorn,

The vote by which a bill to be entitled,

An act to define the boundary line between the counties of Coahoma and Tunica,

Was passed on Thursday last, was reconsidered.

On motion of Mr. Alcorn,

Said bill was laid on the table.

Mr. Alcorn forthwith introduced

A bill to be entitled,

An act to define the boundary of Tunica county;

Which was read the first time.

On motion of Mr. Alcorn,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Alcorn,

The bill was considered as engrossed, the rule further suspended, and the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. McDugald asked and obtained leave for the introduction of

A bill to be entitled,

An act to provide for the payment of Sheriffs' costs in certain cases;

Which was read the first time.

On motion of Mr. McDugald,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Gray moved to lay said bill on the table;

Which was lost.

On motion of Mr. Boone,

Said bill was referred to the committee on the judiciary.

The following message was received from the House of Representatives, through their clerk, to-wit:

MR. PRESIDENT—The House of Representativs have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act for the relief of Jane Herrod, and the heirs of Charles B. Herrod;

A bill to be entitled,

An act to amend the several laws of this State, regulating the proceedings and practice of the High Court of Errors and Appeals, and for other purposes;

A bill to be entitled,

An act to amend an act to secure to the owners of slaves executed by sentence of law, compensation for the same;

A bill to be entitled,

An act to dispose of the surplus copies of the Reports of the High Court of Errors and Appeals, and the Chancery Reports now in the State Library;

A bill supplemental to an act to authorize Peter B. Starke, his heirs and assigns, to errect a toll bridge, &c.;

A bill to be entitled,

An act to amend an act entitled an act to reduce into one the several acts concerning last wills and testaments, the duties of executors, administrators and guardians, and the rights of orphans and other representatives of deceased persons, passed November 23d, 1821;

A bill to be entitled,

An act to extend the right of suffrage to the officers, soldiers and volunteers of the army in Mexico;

A bill to be entitled,

An act to require the Chancellor of the State to hold terms of his court at Vicksburg, Canton and Paulding, and for other purposes.

The Speaker of the House of Representatives has signed,

An act to incorporate the town of Hillsboro' of Scott county;

An act for the relief of Edward Martin.

The President signed the bills in said message mentioned.

The following message was received from his excellency the Governor, through his private Secretary:

To the Senate and House of Representatives:

I herewith transmit you the report of the commissioner, appointed by my late predecessor, for the purpose of protecting the timber on lands belonging to the State; and I would recommend to the le-

gislature the passage of a law for the further and more efficient protection of our State lands.

J. W. MATTHEWS.

Executive Chamber, February 11th, 1848.

GRENADA, January 10th, 1848.

To his Excellency, Joseph W. Matthers,

Governor of the State of Mississippi:

SIR—We, the commissioners appointed by your predecessor, with commissions and instructions bearing date February 8th, 1847, for the supervision and protection of the timber on the lands belonging to the State, beg leave to make the following report, that certain persons herein mentioned, did trespass on the lands, to-wit:

John B. Courtney,	lots 6 and 7,	s. 32,	t. 25,	r. 8 w.
	5 and 7,	5,	24,	"
Myer Courtney,	6 and 7,	32,	25,	"
	5 and 7,	5,	24,	"
Charles Wallace,	5 and 7,	"	"	"
George Arnold,	9,	"	"	"
Alexander Harper,	12 and 3,	32,	25,	"
Thomas Englis,	6 and 7,	32,	25,	"
Felix G. Whitley,	5 and 6,	5,	24,	
James F. Woodfork,	6 and 7,	32,	25,	
	3, 5, and 6,	2,	24,	
E. E. P. Davidson,	5, 6, 7, and 8,	32,	25,	
Joseph Stiller,	5, 8 and 9,	2,	24,	
Henry Jones,	15 and 16,			
A. H. Glenn,	3,			
Mr. Raleigh,	7 and 8,	4,		
Ezekiel Price,	3, 5 and 6,	2,		
Jeremiah Smith,	3, 5 and 6,			

All of whom were returned to Joseph W. Elliott, an acting justice of the peace of Bolivar county, on the charge of trespassing, and also a list was presented to a district attorney of the proper district, of the names of the trespassers, and names of good and sufficient witnesses to prove they have cut and carried away the timber belonging to the State, to the great prejudice of said lands; and the following named persons have cut and carried away timber off of the State lands, which we have not taken any course of law with, for reasons hereafter mentioned:

James Wallace, n. e. ¼, s. 21, and n. w. ¼, s. 22, t. 24, r. 2 w.
Henry Smith, do do do do do.
Ezekiel McNabb, s. 14, 15 and 22, t. 22, r. 3 w.
Wm. McGregor, do do do.
Asa Powers,
Mr. Bell.

They had cut and floated the timber off of the State lands, and mixed it with timber they had cut on lands belonging to the general government before we knew of their trespassing, and we could not identify the particular timber that came off of the State lands.

Lewis and Berjamin Stacy have trespassed on s. 3, t. 28, r. 4 w, to the amount of about two hundred trees; they have acknowledged their indebtedness to the State, and willingness to pay the same.

Jackson Harris has trespassed on section 27, of township 27, range 2 east, for which we compromised with him, by his paying the sum of fifteen dollars.

All of which we most respectfully submit to you, and would recommend that some more effective mode might be adopted, to prevent the destruction of the timber on the State lands.

JOHN RAYBURN,
W. P. BRYAN.

We will observe that some foreigners among citizens of the State, are cutting timber on government land adjoining State lands, and sometimes they take a portion from the State land.

JOHN RAYBURN.

The number of days engaged.

From 25th January to 10th April,	44 days.
From 21st June to 15th July,	22 "
From 24th August to 12th September,	20 "
In October and November,	25 "
	111 "

W. P. BRYAN.

I have been engaged in protecting the timber on the State land twenty days during the year 1847, and until the 10th of January, 1848.

JOHN RAYBURN.

January 10th, 1848.

On motion of Mr. Guion,

Said message was laid on the table.

Mr. Briscoe asked and obtained leave for the introduction of

A bill to be entitled,

An act to change the time of holding the Probate court of the county of Jefferson;

Which was read the first time.

On motion of Mr. Briscoe,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Briscoe,

The bill was considered as engrossed, and the rule further suspended, and the bill read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Price presented the claims of sundry persons, Registers of the land office at Grenada.

On motion of Mr. Price,

The same were referred to the committee on claims.

Mr. Labauve from a select committee, made the following report, to wit:

Mr. President—The select committee appointed to inquire into the expediency of abolishing the office of State Commissioner, have had the subject under consideration, and have instructed me to report, that in their opinion it is not expedient to abolish the said office at this time; but whilst they entertain this opinion, they believe that there is no good reason for continuing the same for a longer period than twelve months; circumstances, however, at the end of that time, may render it proper that said office should be continued for some time longer. The committee therefore recommend, that the State commissioner be elected for the term of one year, and that the Governor of this State have power to continue said officer, or to appoint some other person, if in his opinion the interest of the State requires it; and in pursuance of this opinion, they have instructed me to report a bill herewith submitted.

The bill reported, entitled an act concerning the State Commissioner,

Was read the first time.

On motion of Mr. Labauve,

The report was received.

On the further motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On motion of Mr. Gray,

Said bill was referred to the committee on the judiciary.

Mr. Boone presented the petition of John L. Davis; which,

On his motion,

Was referred to the committee on claims.

Mr. Guion presented the claim of Wm. Gibbons; which,

On his motion,

Was referred to the committee on claims.

Mr. White called for the consideration of

A bill to be entitled,

An act to amend the act regulating the mode of proceedings against incorporated banks, for a violation of their corporate franchises, approved July 26th, 1843, and February 28th, 1846;

Which was read the second time forthwith.

On motion of Mr. White,

Said bill was ordered to be engrossed for a third reading on Monday next.

Mr. Wilborne from a select committee, to whom had been referred the bill for the relief of James W. Wade, late Superintendent of the Penitentiary, reported said bill back without amendment, and recommend that it do not pass.

Mr. Labauve moved to receive and agree to said report.

Mr. Hodges called for a division of the question;

Which was had;

First upon receiving said report;

Which was decided in the affirmative.

Mr. Labauve moved to agree to said report;

Which was lost.

Mr. Sharp offered the following amendment to said bill, by way of ryder, to-wit:

Provided that the same shall not exceed one hundred and seventy-five dollars.

Mr. Gray moved to amend the ryder as follows:

And provided also, that the present Superintendent be allowed the sum of $350 00 for the rent of a house, for each year he holds the office of Superintendent of the Penitentiary.

The question was had on the adoption of the ryder, as amended,

Which was lost.

Mr. Boone offered the following amendment to the ryder, to-wit:

Amend by adding, "and that the assistant Keeper be allowed the same sum for living in the house, and discharging his duty at the risk of his life in a dangerous wall;"

Which was lost.

The question was then had on the adoption of the ryder;

Which was lost.

Mr. Kennedy called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Briscoe, Carter, Davis, Greer, Hodges, Kennedy, Lake, Price, Pegues, Pettus, Ramsay, Sharpe and White—13 votes.

NOES—M. President, Messrs. Alcorn, Boone, Beene, Bradford, Cannon, Gray, Guion, Harrison, Johnson, Labauve, McDugald, Stewart, Stone and Wilborne—15 votes.

On motion of Mr. Labauve,

Said bill was indefinitely postponed.

Mr. Guion asked and obtained leave for the introduction of

A bill to be entitled,

An act to amend an act entitled an act to authorize the Mayor and Aldermen of the city of Jackson, to erect a bridge across Pearl River;

Which was read the first time.

On motion of Mr. Guion,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Guion,

The bill was considered as engrossed, the rule further suspended and the bill read the time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Sharpe called from the table

A bill to be entitled,

An act for the relief of Augustus Pitchford of Holmes county;

Which was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The Senate proceeded to the consideration of the orders of the day:

Mr. White moved to postpone until Monday week next, the further consideration of the substitute before the Senate on yesterday, to be entitled,

An act to take the sense of the people of the State of Mississippi, on the propriety of calling a convention to amend the constitution of the State, together with the several amendments thereto;

Which was lost.

On motion of Mr. Wilborne,

The further consideration of said substitute and the amendments thereto, were postponed until Monday next, 11 o'clock, A. M.

A bill to be entitled,

An act to amend an act to organize and establish Circuit courts, and define their powers and jurisdiction in law and equity, approved March 2d, 1833;

Was read the third time, put on its passage, and lost.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed:

An act to authorize the citizens of Hancock county to locate the seat of justice of said county, and for other purposes;

An act to remove the civil disabilities of Jackson Darden, minor of Jefferson county;

An act to incorporate the town of Danville, in the county of Tishemingo;

An act to amend the laws relating to writs of injunction *ne exeat* and *supersedeas;*

An act supplemental to an act entitled an act to change the time of holding the Circuit courts in the 7th judicial district in this State;

An act for the relief of William B. Cavanah;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to divide the 37th regiment Mississippi Militia;

A bill to be entitled,

An act for the relief of William T. Courts;

In which I am instructed to desire the concurrence of the Senate.

The President signed the acts in said message mentioned.

A bill to be entitled,

An act for the relief of James Foster, guardian of the persons and estate of Sinah G. Foster,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of William Halliburton,

Was read the third time, put on its passage and lost.

A bill to be entitled,

An act for the benefit of Thomas J. Likens of Washington county,

Was read the first time.

On motion of Mr. White,

The constitutional rule was suspended,

And the bill was read the second time.

On the further motion of Mr. White,

The rule was further suspended,

And the bill was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of the State Hospital of Mississippi, at Natchez,

Was read the second time.

Mr. Labauve moved to lay said bill on the table;

Which was lost

Mr. Stewart called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Boone, Beene, Bradford, Cannon, Gray, Greer, Harrison, Johnson, Labauve, Sharpe and Wilborne—11 votes.

NOES—Mr. President, Messrs. Alcorn, Briscoe, Carter, Davis, Guion, McAffee, Price, Pegues, Pettus, Ramsay, Stewart, Stone and White—13 votes.

A resolution of the Legislature of the State of Mississippi, relative to the discharged soldiers of the 1st Mississippi Rifles, &c., &c.,

Was read the second time.

Mr. Sharpe offered the following amendment, to-wit:

Strike out all after the words "State of Mississippi," or as much as relates to granting medals;

Which was adopted.

A bill to be entitled,

An act to authorize P. W. Hemphill, James Liddell, and others, to erect a bridge or ferry over Big Black river, and construct a causeway through the swamp where the road from Louisville to Carrollton crosses the same,

Was read the first time.

On motion of Mr. Johnson,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Johnson,

The rule was further suspended,

And the bill was read the third time forthwith by title, and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Carter,

A bill to be entitled,

An act to extend the rail road eastwardly beyond Jackson,

Was made the special order of the day for its third reading on Monday next.

Mr. Boone offered the following resolution, to-wit:

Resolved, the Auditor of Public Accounts be requested to inform the Senate the amount of money that has been furnished by the State for the building and benefit of the Hospital at the city of Natchez, from its commencement to this time;

Which was adopted.

A bill to be entitled,

An act to change the time of holding the regular terms of the police court of Hancock county,

Was read the first time.

On motion of Mr. Ramsay,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Ramsay,

The rule was further suspended,

And the bill was read the third time forthwith by title, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to extend the time of holding the probate court of Noxubee county,

Was read the first time.

On motion of Mr. Gray,

The constitutional rule was suspended,

And the bill read the second time forthwith by title.

On the further motion of Mr. Gray,

The rule was further suspended,

And the bill was read the third time forthwith by title, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate the Houston Division No. 25, of the Sons of Temperance, in the town of Houston, Chickasaw county,

Was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And said bill was read the second time forthwith, by title.

On motion of Mr. Labauve,

Said bill was laid on the table.

Resolution granting leave of absence to the Hon. R. C. Perry and Hon. F. M. Rogers,

Was read the first time.

On motion of Mr. Sharpe,

The constitutional rule was suspended,

And the resolution was read the second time forthwith, by title.

On the further motion of Mr. Sharpe,

The rule was further suspended,

And the resolution was read the third time forthwith by title, and adopted:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to aid in the establishment of an institution for the instruction of the blind,

Was read the third time.

On motion of Mr. Labauve,

Said bill was re-committed to the select committee to whom this subject was referred at a previous day of this session.

A bill to be entitled,

An act to establish a ferry across Yazoo river, at the city of Yazoo, in Yazoo county,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate Pontotoc Lodge No. 81, of free and accepted Masons,

Was read the third time.

On motion of Mr. Labauve,

Said bill was laid on the table.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to authorize the citizens of Hancock county to locate the seat of justice of said county, and for other purposes;

An act to remove the civil disabilities of Jackson Darden, a minor of Jefferson county;

An act to incorporate the town of Danville, in the county of Tishemingo;

An act to amend the laws relating to writs of injunction, ne exeat and supersedeas;

An act supplemental to an act entitled an act to change the time of holding the circuit courts in the seventh judicial district in this State;

An act for the relief of William B. Cavanah;

And have found the same correctly enrolled,

A bill to be entitled,

An act to repeal an act entitled an act to amend an act to incorporate the town of Hernando, in the county of Desoto, approved February 16th, A. D, 1842,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to define the line between Desoto and Tunica county,

Was read the second time.

On motion of Mr. Labauve,

The said bill was laid on the table.

A bill to be entitled,

An act to incorporate the Wardens and Vestrymen of Trinity Church, in Yazoo City,

Was read the third time.

On motion of Mr. Labauve,

Said bill was laid on the table.

A bill to be entitled,

An act for the relief of James Bond, of the county of Choctaw, one of the securities of Richard S. Graves, formerly Treasurer of this State,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate the town of Quitman, in the county of Clarke,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the repairing of the State Capitol, and Executive Mansion,

Was read the second time.

On motion of Mr. Johnson,

Said bill was ordered to be engrossed for a third reading on Monday next.

A bill to be entitled,

An act to abolish the office of State Architect,

Was read the second time.

On motion of Mr. Boone,

Said bill was considered as engrossed, the rule suspended, and the bill read a third time forthwith and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to amend an act reducing the fees of certain officers therein named, approved 10th February, 1844, so far as the same relates to the counties of Harrison and Smith,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to secure the collection of the jury tax, and to protect the officers of courts,

Noes—Mr. President, Messrs. Alcorn, Boone, Bradford, Briscoe, Cannon, Carter, Greer, Johnson, Kennedy, Labauve, Pettus, Ramsay, Sharpe, Stone and Wilborne—16 votes.

And said bill was put on its final passage, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the benefit of convicts in the Penitentiary,

Was read the second time.

On motion of Mr. Greer,

Said bill was ordered to be engrossed for a third reading on Monday next.

A bill to be entitled,

An act to authorze Robert B. Miller to move the property of Clarence Miller out of the limits of this State,

Was read the second time.

On motion of Mr. Guion,

Said bill was referred to the committee on the judiciary.

A bill to be entitled,

An act to increase the pay of jurors in the county of Lawrence and Marion,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of Thomas Blewitt Godbold,

Was read the second time.

On motion of Mr. Labauve,

Said bill was ordered to be engrossed for a third reading on Monday.

The President announced that he had received from the Auditor of Public Accounts, the following communication:

AUDITOR'S OFFICE,
Jackson, February 12th, 1848.

To the Hon. Dabney Lipscomb, President of the Senate,

SIR:—The following resolution adopted by the Senate this day, has been communicated to me:

Resolved, the Auditor of Public Accounts be requested to inform the Senate the amount of money that has been furnished by the State for the building and benefit of the Hospital at the city of Natchez, from its commencement to this time.

In obedience to the above resolution, I have the honor to state

that there has been paid out of the Treasury, the following sums of monoy by virtue of "the act to change the name of the Natchez Hospital, and for its relief and benefit," approved February 14th, 1839, viz:

April 10, '39,	warrant in favor of	J. A. Lyle, Prest. &c.,	$2,500	00
Oct. 14, "	" "	do "	2,500	00
April 10, '41,	" "	E. P. Pollard,	2,500	00
Oct. 7, "	" "	Sam'l. Cotton, Prest.,	2,500	00
April 1, '41,	" "	do	2,500	00
Nov. 6, "	" "	do	2,500	00
		Total,	$15,000	00

Respectfully submitted,

GEORGE T. SWANN,
Auditor of Public Accounts.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to incorporate the town of Danville, in the county of Tishemingo;

An act to authorize the citizens of Hancock county, to locate the seat of justice of said county, and for other purposes;

An act to remove the civil disabilities of Jackson Darden, minor of Jefferson county;

An act to incorporate the town of Hillsboro of Scott county.

An act for the relief of Edward Martin;

An act to amend the laws relating to writs of injunction, *ne exeat* and supersedeas;

An act supplemental to an act, entitled an act to change the time of holding the circuit courts in the seventh judicial district in this State;

An act for the relief of William B. Cavanah.

On motion of Mr. Greer,

The Senate adjourned until half-after 9 o'clock, Monday morning next.

Was read the second time.

On motion of Mr. Labauve,

Said bill was committed to the whole house, and made the special order of the day for Tuesday next, 12 o'clock, M.

A bill to be entitled,

An act to enable the citizens of Vicksburg to erect a pest house,

Was read the second time.

On motion of Mr. Guion,

Said bill was ordered to be engrossed for a third reading on Monday next.

A bill to be entitled,

An act relative to the militia laws of this State,

Was read the second time.

Mr. McDugald moved the engrossment of said bill for a third reading;

Which was lost.

On motion of Mr. Labauve,

Said bill was laid on the table.

A bill to be entitled,

An act to prevent frauds in conveyances, and to protect innocent purchasers,

Was read the second time.

On motion of Mr. Guion,

Said bill was ordered to be engrossed for a third reading on Monday next.

A bill to be entitled,

An act relative to executions and insolvent debtors,

Was read the second time.

Mr. Labauve moved to lay said bill on the table;

Which was lost.

Mr. Bradford offered the following amendment, viz:

Strike out "real;"

Which was lost.

Mr. Johnson offered the following amendment, viz:

Section —. *And be it further enacted*, that no property, real or personal, shall be exempt from execution and sale for taxes due the State, or any county in this State.

Mr. Sharpe offered the following amendment to the amendment:

"And all persons who cannot pay their taxes and road fines, shall be put into the Penitentiary;"

Which was lost.

The question was then had on the amendment of Mr. Johnson;

Which was lost.

On motion of Mr. McDugald,

Said bill was laid on the table.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have passed a bill from the Senate,

To be entitled,

An act to define the duties of the board of county police of Tippah county, and for other purposes, and have made an amendment thereto;

In which I am instructed to desire the concurrence of the Senate.

A bill to be entitled,

An act for the relief of the Raymond Female Institute,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate the Raymond Female Institute,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to prohibit the burning of woods in certain counties therein named

Was read the third time.

On motion of Mr. McAffee,

Said bill was referred to a select committee of three.

Messrs. McAffee, Ramsay and Stone, were appointed said committee.

A bill to be entitled,

An act for the election of the Clerk of the Superior Court of Chancery,

Was read the third time.

Mr. Gray moved to lay said bill on the table;

Which was lost.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Messrs Beene, Davis, Gray, Guion, Harrison, McAffee, Pegues, Stewart and White—9 votes.

MONDAY, FEBRUARY 14, 1848.

The Senate met pursuant to adjournment.

The Journal of Saturday was read.

Mr. Briscoe asked and obtained leave to the introduction of

A bill to be entitled,

An act to attach the county of Claiborne to the southern district chancery court of the State of Mississippi,

Which was read the first time.

On motion of Briscoe,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On motion of Mr. Briscoe,

The bill was considered as engrossed, and the rule further suspended,

And the bill ordered to a third reading forthwith.

Mr. Catching offered the following amendment by way of ryder:

"*And be it further enacted*, that the provisions of this act extend to the county of Simpson,"

Which was adopted;

And said bill with its ryder put on its passage and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed,

An act to authorize P. W. Hemphill, James Liddell and others, to erect a bridge or ferry over Big Black river, and construct a causeway through the swamp where the road from Louisville to Carrollton crosses the same;

An act to change the time of holding the regular terms of the police court of Hancock county;

An act for the relief of James Foster, guardian of the persons and estate of the minor heirs of Sinah G. Foster;

An act extending the time of holding the probate court of Noxubee county;

Resolution granting leave of absence to the hon. R. C. Perry, and hon. F. M. Rogers;

An act to establish Keaton's ferry on the Tombigbee river;

An act to incorporate the town of Spring Hill, in the county of Tippah;

An act to incorporate the Mutual Life Insurance Company of Mississippi;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed a bill to be entitled,

An act to legalize the public roads in Coahoma county;

In which I am instructed to desire the concurrence of the Senate.

The President signed the bills in said message mentioned.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act for the relief of William B. Cavanah;

An act to amend the laws relating to writs of injunctions, *ne exeat* and supersedeas;

An act supplemental to an act, entitled an act, to change the time of holding the circuit courts in the seventh judicial district in this State, approved February 12th, 1848.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

MR. PRESIDENT—The committee on engrossed bills, have examined bills of the following titles, to-wit:

A bill to be entitled,

An act for the relief of Thomas Blewit Godbold;

A bill to be entitled,

An act to enable the citizens of Vicksburg to build a Pest House;

A bill to be entitled,

An act for the repairing of the State Capital and Executive Mansion;

A bill to be entitled,

An act to amend the acts regulating the mode of proceeding against incorporated banks for a violation of their corporate franchises, approved July 26th, 1843, and February 28th, 1846;

A bill to be entitled,

An act to prevent frauds in conveyances, aad to protect innocent purchasers;

A bill to be entitled,

An act for the benefit of convicts in the penitentiary of the State;

And have found the same correctly engrossed.

Mr. Stewart asked and obtained leave to the introduction of

A bill to be entitled,

An act to authorize the president and directors of the West Feliciana Railroad Company to close the banking department of that institution, and for other purposes;

Which was read the first time.

Mr. Stewart moved to suspend the constitutional rule, and read the bill the second time forthwith;

Which was lost.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of following titles, to-wit:

An act to authorize P. W. Hemphill, James Liddell and others, to erect a bridge or ferry over Big Black river, and construct a causeway through the swamp where the road from Louisville to Carrollton croses the same;

An act to change the time of holding the regular terms of the police court of Hancock county;

An act for the relief of James Foster, guardian of the person and estate of the minor heirs of Sinah G. Foster;

An act to extend the time of holding the probate court of Noxubee county;

Resolution granting leave of absence to the hon. R. C. Perry and hon. F. M. Rogers;

An act to establish Keaton's ferry on the Tombigbee river;

An act to incorporate the town of Spring Hill, in the county of Tippah;

An act to incorporate the Mutual Life Insurance Company of Mississippi;

And have found the same correctly enrolled.

Mr. Guion presented the memorial of Israel Dille, with sundry accompanying documents;

Which was read, and

On motion of Mr. Guion,

Referred to the committee on the judiciary.

Mr. Stone presented the memorial of Asa Whitney of New York, with sundry accompanying documents.

On motion of Mr. Stone,

Said memorial and the accompanying documents were referred to a select committee of three.

Messrs. Stone, Lake, and Pettus were appointed said committee.

Mr. Catching asked and obtained leave to the introduction of

A bill to be entitled,

An act to amend an act, entitled an act, to amend the several laws of the State in relation to the courts of probate,

Which was read the first time.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act for the relief of the State Hospital of Mississippi, at Natchez,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Harrison, from a joint select commmittee, made the following report, to-wit:

Mr. President—The joint select committee raised for the purpose of enquiring into the expediency of reducing the number of under clerks in the legislature, beg leave to report: that they have had the subject under consideration, and find the law regulating that department of the legislature defective. There seems to be no limitation provided for in the law as it regards the number to be employed, except that of giving to the President of the Senate and Speaker of the House of Representatives a revisory sanction, which imposes on those officers a delicate and onerous task, and one which would be exercised with reluctance. In order to obviate this difficulty and promote the interest of this department, your committee have instructed me to report the following bill and recommend its passage.

All of which is respectfully submitted.

The bill therein reported, entitled an act to prescribe the number of assistant clerks hereafter to be appointed by the Secretary of the Senate and the Clerk of the House of Representatives,

Was read the first time.

Mr. Harrison moved to receive and agree to said report.

A division of the question was called for;

Which was had, first upon the reception of said report;

Which was decided in the affirmative.

Mr. Harrison moved to suspend the rule, and read the bill the second time forthwith;

Which was lost.

Mr. Boone presented the claim of James Wilson,

Which on his motion,

Was referred to the committee on claims.

Mr. Pettus called for the consideration of

A bill to be entitled,

An act to extend the Railroad eastwardly beyond Jackson;

Which was read the third time forthwith.

Mr. Labauve moved to postpone the further consideration of said bill until to-morrow, and make it the special order of the day for 12 o'clock M.;

Which was lost.

And said bill was put on its final passage and passed:

Ordered, that the title thereof be as stated.

Mr. McDugald called for the ayes and noes on the passage of said bill, which are as follows, to-wit:

AYES—Mr. President, Messrs. Briscoe, Carter, Catching, Davis, Guion, Hodges, Lake, McDugald, McAfee, Price, Pegues, Pettus, Ramsay, Stewart, Stone, and White—17 votes.

NOES—Messrs. Boone, Beene, Bradford, Cannon, Dabney, Gray, Greer, Harrison, Johnson, Kennedy, Labauve, Sharpe, and Wilborne—13 votes.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to reduce the ex-officio services of the clerks and sheriffs of the counties of Perry, Green, Jones, Rankin, and Scott;

A bill to be entitled,

An act to incorporate the town of Philadelphia, in Neshoba county;

A bill to be entitled,

An act for the relief of Jane Herrod and the heirs of Charles B. Herrod;

A bill to be entitled,

An act to incorporte the town of Pass Christian, in the county of Harrison;

A bill to be entitled,

An act to dispose of the surplus copies of the digest of the State, and reports of the high court of errors and appeals, and also the chancery reports of the State, now in the State Library;

A bill to be entitled,

An act to provide the mode of administering the oath of office to all newly elected county officers;

A bill to be entitled,

An act for the relief of Richard E. Stratton, and for other purposes;

In which I am instructed to desire the concurrence of the Senate.

On motion of Mr. Greer,

The Senate took a recess until 3 o'clock P. M.

THREE O'CLOCK P. M.

The recess having expired,

The Senate met.

A resolution of the Legislature of the State of Mississippi, relative to the discharged soldiers of the first Mississippi Rifles, &c.;

Was read the third time as amended,

And put on its final passage and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to divide thirty-seventh Regiment of Mississippi Militia,

Was read the first time.

A bill to be entitled,

An act for the relief of William T. Courts,

Was read the first time.

On motion of Mr. Sharpe,

The costitutional rule was suspended,

And said bill read the second time forthwith by title.

On the further motion of Mr. Sharpe,

The rule was further suspended,

And the bill was read the third time forthwith by title, and passed:

Ordered, that the title thereof be as stated.

Mr. White asked and obtained leave to the introduction of

A bill to be entitled,

An act to exempt from sale under execution the libraries of Ministers of the Gospel,

Which was read the first time.

On motion of Mr. White,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. White,

The bill was considered as engrossed;

The rule further suspended,

And the bill read the third time and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Price,

The Senate concurred in the first amendment made by the House of Representatives,

To a bill from the Senate to be entitled,

An act to define the duties of the board of county police of Tippah county, and for other purposes;

And disagreed to the second one of said amendments.

Mr. Wilborne, from the select committee to whom had been referred,

A bill to be entitled,

An act to aid in the establishment of an institution for the instruction of the blind,

Reported said bill back with sundry amendments.

On motion of Mr. Wilborne,

The report was received.

On motion of Mr. Guion,

The first and third of said amendments were disagreed to.

On the further motion of Mr. Guion,

The second of said amendments was agreed to.

On the further motion of Mr. Guion,

The bill, as amended, was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. White asked and obtained leave to the introduction of

A bill to be entitled,

An act for the benefit of the returned officers and soldiers from the service of the United States in Mexico;

Which was read the first time.

Mr. White moved to suspend the constitutional rule, and read the bill the second time forthwith;

Which was lost.

Mr. Boone offered the following joint resolution, viz:

Resolved, (the House concurring,) the office of State Commissioner be abolished, and that there be an additional Clerk allowed to the Auditor of Public Accounts, who shall discharge the duties of the State Commissioner as now prescribed by law and receive the same salary and give the same security, and be liable to the same penalties, to be appointed by the Governor with the advice and consent of the Senate, and hold the office for the term of two years;

Which was read the first time.

Mr. Boone moved to suspend the constitutional rule, and read the resolution the second time forthwith for adoption;

Which was lost.

Mr. Davis offered the following joint resolution, to-wit:

Resolved, (the House of Representatives concurring,) that both houses adjourn *sine die* on Saturday, the twenty-sixth inst., M.;

Which was read the first time.

Mr. Boone moved to lay said resolution on the table;

Which was lost.

On motion of Mr. Boone,

The rule was suspended, the resolution was read the second time forthwith and adopted.

A bill to be entitled,

An act to take the sense of the people of the State of Mississippi, on the propriety of calling a convention to amend the constitution of the State, together with the several amendments thereto, made in committee of the whole,

Was before the Senate on the motion entered at a previous day for the indefinite postponement of the bill and the amendments.

On motion of Mr. Carter,

A call of the Senate was had.

On motion of Mr. Guion,

The absentees were sent for.

On motion,

The further call was suspended,

The question was then had on the indefinite postponement of said bill;

Which was lost.

Mr. Briscoe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Carter, Davis, Dabney, Guion, Kennedy, Lake, McDugald, McAffee, Pettus, Ramsay, Stewart, Stone and White —13 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Catching, Gray, Greer, Harrison, Johnson, Labauve, Price, Pegues, Sharpe and Wilborne—16 votes.

The question was then had on the following amendment, made in committee of the whole:—First amendment:

Fill the blank in the first section as follows, to-wit:

"The first Monday and day following in November, 1849."

Mr. Boone moved to amend the amendment as follows, to-wit:

Strike out "1849," and insert "1848."

Mr. Guion called for a division of the question;

Which was had, first on striking out;

Which was lost.

The question was thereupon had on the adoption of the amendment;

Which was decided in the affirmative.

The second amendment reads as follows, to-wit:

Fill the blank in section four with the words "on the first Monday of January, 1850."

The question was had on the adoption thereof;

Which was decided in the affirmative.

The third amendment reads as follows, to-wit:

Fill the blank in section five with the words, "on the first Monday in April, 1850."

The question was had on the adoption thereof;

Which was decided in the affirmative.

Mr. Labauve offered the following amendment, to-wit:

Fill the blank in the seventh section with the words, "on the first Monday of October, 1850."

The question was had on the adoption thereof;

Which was decided in the affirmative.

Mr. McAffee offered the following amendment, to-wit:

Insert in section four, line seven, after the words "so polled," "for members of the Legislature."

The question was had on the adoption thereof;

Which was decided in the affirmative.

Mr. Boone called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Carter, Catching, Davis, Dabney, Gray, Guion, Harrison, Kennedy, Lake, McDugald, McAffee, Pegues, Pettus, Ramsay, Stewart, Stone, White and Wilborne—19 votes.

NOES—Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Greer, Johnson, Labauve, Price and Sharpe—10 votes.

Mr. Gray offered the following amendment, to-wit:

Amend by way of additional section:

Section —. *Be it further enacted*, that at the general election held on the first Monday and day following in November, 1849, it shall be the duty of managers of the election at each precinct in every county in this State, to ask of each and every voter whether he is in favor of or against the said Convention; and the votes for or against the same, shall be taken and returned as is provided for in this act;

Which was adopted.

On motion of Mr. Labauve,

Said bill, as amended, was ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Cannon,

Said bill was made the first special order of the day, for 11 o'clock, A. M.

Mr. Price from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day presented to his Excellency, for his approval and signature, bills of the following titles, to-wit:

An act to incorporate the town of Spring Hill, in the county of Tippah;

An act to establish Keaton's ferry, on the Tombigbee river;

An act to incorporate the Mutual Life Insurance Company of Mississippi.

On motion of Mr. Greer,

The Senate adjourned until half-past nine o'clock, A. M.

TUESDAY, FEBRUARY 15, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Stone presented the memorial of John H. Hilliard of Lawrence county, and Jacob F. Foute of Hinds county;

Which was read.

On motion of Mr. Stone,

Said memorial, and the accompanying documents, were referred to a select committee of three.

Messrs. Stone, Greer and Labauve, were appointed said committee.

Mr. McDugald asked and obtained leave to the introduction of

A bill to be entitled,

An act to require the trustees of the 16th section in Clarke county, to make titles, &c.;

Which was read the first time.

On motion of Mr. McDugald,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. McDugald,

The bill was considered as engrossed, the rule further suspended and the bill read the time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

MR. PRESIDENT—The committee on engrossed bills, have examined a bill of the following title, to-wit:

A bill to be entitled,

An act to take the sense of the people of the State of Mississippi, on the propriety of calling a Convention to amend the Constitution of the State;

And have found the same correctly engrossed.

Mr. Ramsay, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act for the relief of James Foster, guardian of the persons and estate of the minor heirs of Sinah G. Foster;

An act to authorize P. W. Hemphill, James Liddell and others, to erect a bridge or ferry over Big Black river, and construct a causeway through the swamp where the road from Louisville to Carrollton crosses the same;

An act to change the time of holding the regular terms of the police court of Hancock county;

An act to extend the time of holding the probate court of Noxubee county;

Resolution granting leave of absence to the Hon. R. C. Perry, and Hon. F. M. Rogers.

Mr. Ramsay, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act for the relief of Augustus Pitchford, of Holmes county;

An act for the benefit of Thomas J. Likens, of Washington county;

An act for the relief of the State Hospital of Mississippi, at Natchez;

An act for the relief of William T. Courts;

And have found the same correctly enrolled.

Mr. Greer presented the petition of James H. R. Taylor;

Which was read; and

On motion of Mr. Greer,

Referred to the committee on claims.

Mr. Guion asked and obtained leave to the introduction of

A bill to be entitled,

An act to extend the corporate limits of the city of Jackson;

Which was read the first time.

On motion of Mr. Guion,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Guion,

The bill was considered as engrossed, the rule further suspended, and the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Cannon asked and obtained leave to the introduction of

A bill to be entitled,

An act to incorporate the officers and members of Ridgley Lodge

No. 23, of the Independent Order of Odd Fellows, in the town of Starkeville, Octibbeha county;

Which was read the first time.

On motion of Mr. Cannon,

Said bill was laid on the table.

Mr. Carter asked and obtained leave to the introduction of

A bill to be entitled,

An act to incorporate the town of Marion, in Lauderdale county;

Which was read the first time.

On motion of Mr. Carter,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Carter,

The bill was considered as engrossed, the rule further suspended, and the bill read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Ramsay presented the petition of Simon P. Holden;

Which was read; and

On his motion,

Referred to the committee on propositions and grievances.

Mr. Dabney asked and obtained leave to the introduction of

A bill to be entitled,

An act to authorize William B. Reed and Richard A. Howard, to construct a turnpike road across the Noxubee swamp, near Macon,

Which was read the first time.

On motion of Mr. Dabney,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Dabney,

The bill was considered as engrossed, the rule further suspended, and the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Bradford asked and obtained leave to the introduction of

A resolution granting leave of absence to the Hon. Hugh R. Miller;

Which was read the first time.

On motion of Mr. Bradford,

The constitutional rule was suspended,

And the resolution was read the second time forthwith.

Mr. Beene offered the following amendment, viz:

Strike out all after the word "district," and insert, "have leave of absence from this State for any time during vacation of the summer of 1848;"

Which was adopted.

On motion of Mr. Bradford,

The resolution, as amended, was considered as engrossed, the rule further suspended, and the resolution read the third time forthwith and passed.

Mr. Guion asked and obtained leave to the introduction of

A bill to be entitled,

An act to provide for and establish common schools in the county of Hinds;

Which was read the first time.

On motion of Mr. Guion,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Sharpe offered the following amendment, to-wit:

"Insert Holmes after Hinds;"

Which was adopted.

Mr. Wilborne offered the following amendment, to-wit:

Strike out "Hinds and Holmes," and in lieu thereof insert, "the State of Mississippi."

The question was had on striking out;

Which was lost.

Mr. Wilborne offered the following amendment, to-wit:

"After Holmes, insert Yallobusha;"

Which was adopted.

On motion,

"Sixteen years," wherever it occurs in said bill, was ordered to be struck out, and "twenty years" inserted.

On motion of Mr. Guion,

The constitutional rule was suspended,

The bill, as amended, was considered as engrossed, and read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. White, from the select committee, to whom had been referred,

A bill to be entitled,

An act to prevent the obstruction of navigable streams,

Reported a bill of the same title, as a substitute therefor, and asked to be discharged from the further consideration of the subject.

On motion of Mr. White,

The report was received;

And the bill reported as a substitute,

Was read the first time.

The following message was received from the House of Representatives, through their clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles, to-wit:

A bill to be entitled,

An act for the relief of William H. Batte;

A bill to be entitled,

An act to incorporate the Mobile and Ohio Rail Road Company;

A bill to be entitled,

An act to change the time of holding the district chancery court and the circuit court of Holmes county;

A bill to be entitled,

An act to amend an act incorporating the Homochitto Turnpike and Bridge Company, approved 15th February, 1838;

A bill to be entitled,

An act to amend an act to prevent the destruction of oysters in the waters of the State of Mississippi, approved July 26, 1843;

In which I am instructed to desire the concurrence of the Senate.

The Speaker of the House of Representatives has signed:

An act for the relief of William T. Courts;

An act for the relief of Augustus Pitchford, of Holmes county;

An act for the benefit of Thomas J. Likens, of Washington county;

An act for the relief of the State Hospital of Mississippi, at Natchez;

Which are are herewith presented to the Senate for the signature of the President.

The President signed the bills in said message mentioned.

Mr. Lake asked and obtained leave to the introduction of

A bill to be entitled,

An act to incorporate the Grand Division of the Sons of Temperance of the State of Mississippi;

Which was read the first time.

On motion of Mr. Lake,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Sharpe moved to lay said bill on the table;

Which was lost.

On motion of Mr. Lake,

The bill was considered as engrossed, the rule further suspended, and the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Sharpe called for the ayes and noes on the passage of said bill, which are as follows, to-wit:

AYES—Messrs. Boone, Beene, Bradford, Greer, Guion, Hodges, Johnson, Lake, McDugald, McAffee, Price, Pegues, Ramsay, Stewart, Stone and White—16 votes.

NOES—Mr. President, Messrs. Briscoe, Cannon, Carter, Catching, Davis, Dabney, Gray, Harrison, Kennedy, Labauve, Pettus, Sharpe and Wilborne—14 votes.

Mr. Lake asked and obtained leave to the introduction of

A bill to be entitled,

An act to amend the laws now in force relating to last wills and testaments;

Which was read the first time.

On motion of Mr. Lake,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Lake,

Said bill was referred to the committee on the judiciary.

Mr. Stewart asked and obtained leave to the introduction of

A bill to be entitled,

An act to provide for the appointment of deputy clerks in vacation;

Which was read the first time.

On motion of Mr. Stewart,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title;

And ordered to be engrossed for a third reading on to-morrow.

Mr. Harrison offered the following resolution, viz:

Resolved, that a select committee of three be raised to examine the condition and affairs of the office of State Commissioner, with power to send for persons and papers, and every other power and facility necessary to a thorough investigation of the affairs of that office;

Which was read and adopted forthwith.

Messrs. Harrison, Stone and Gray, were appointed said committee.

Mr. Dabney called for the consideration of a bill from the House of Representatives,

To be entitled,

An act to incorporate the Mobile and Ohio Rail Road Company;

Which was read the first time forthwith.

On motion of Mr. Dabney,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Boone offered the following amendment, viz:

Section —. *Be it further enacted*, that in case of disagreement at any time hereafter between any of the authorities of the General Government and the said Rail Road Company, in regard to the compensation to be paid to said Company for the transportation of the United States mail upon said rail road, in that case the Legislature reserves to itself the right of fixing the compensation for such transportation of the mail within the limits of this State;

Which was lost.

On motion of Mr. Boone,

The rule was further suspended,

And the bill was read the third time forthwith and passed;

Ordered, that the title thereof be as stated.

Mr. Ramsay, from a select committee, to whom had been referred,

A bill to be entitled,

An act to prohibit the burning of woods in certain counties therein named;

Reported a new bill of the same title in lieu thereof, and recommend its passage.

On motion of Mr. Ramsay,

The report was received and agreed to,

And the bill reported read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The Senate proceeded to the consideration of the orders of the day.

Mr. White moved to postpone until Monday next, 12 o'clock m., the further consideration of

A bill to be entitled,

An act to take the sense of the people of the State of Mississippi, on the propriety of calling a convention to amend the Constitution of the State;

Which was lost,

Mr. Cannon called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Carter, Davis, Dabney, Guion, Hodges, Kennedy, Lake, McDugald, McAffee, Pegues, Pettus, Ramsay, Stewart, Stone, and White—15 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Catching, Gray, Greer, Harrison, Johnson, Labauve, Price, Sharpe, and Wilborne—15 votes.

Mr. Bradford moved a call of the Senate;

There being no absentees,

The bill was read the third time forthwith and passed.

Mr. Stewart called for the ayes and noes thereon, which are as follow, to-wit:

AYES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Catching, Gray, Greer, Harrison, Johnson, Labauve, Price, Pegues, Sharpe, and Wilborne—16 votes.

NOES—Messrs. Carter, Davis, Dabney, Guion, Hodges, Kennedy, Lake, McDugald, McAffee, Pettus, Ramsay, Stewart, Stone, and White—14 votes.

Mr. Cannon moved a reconsideration of the vote on the passage of said bill,

Which was lost.

The question was forthwith had,

Shall the title stand as stated;

Which was decided in the affirmative.

A bill to be entitled,

An act to divide the thirty-seventh Regiment of the Mississippi Militia,

Was read the second time.

On motion of Mr. Kennedy,

The constitutional rule was suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to provide the mode of administering the oath of office to all newly elected county officers,

Was read the first time.

On motion of Mr. Carter,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Carter,

The rule was further suspended,

And the bill was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of Richard E. Stratton, and for other purposes;

Was read the first time.

A bill to be entitled,

An act to incorporate the town of Pass Christian, in the county of Harrison;

Was read the first time.

On motion of Mr. Ramsay,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Ramsay,

The rule was further suspended,

And the bill was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of Jane Herrod, and the heirs of Charles B. Herrod;

Was read the first time.

A bill to be entitled,

An act to incorporate the town of Philadelphia, in Neshoba county;

Was read the first time.

A bill to be entitled,

An act to legalize the public roads in Coahoma county;

Was read the first time.

A bill to be entitled,

An act to reduce the ex-officio services of the clerks and sheriffs of the counties of Perry, Greene, Jones, Rankin and Scott;

Was read the first time.

A bill to be entitled,

An act to dispose of the surplus copies of the digest of the State, and reports of the high court of errors and appeal, and also of the chancery reports of the State, now in the State Library;

Was read the first time.

The Senate resolved itself into committee of the whole, on

A bill to be entitled,

An act concerning the code of Mississippi.

And after some time spent therein the committeee rose; and

Mr. Cannon reported progress, and asked leave to set again to-morrow at 11 o'clock, A. M.

On motion of Mr. Cannon,

The report was received and leave granted.

Mr. Boone offered the following resolution, to-wit:

Resolved, (the House concurring,) it is hereby made the duty of the Auditor of Public Accounts to draw his warrant on the State Treasury in favor of the Secretary of State, for a sum sufficient to defray the expense of furnshing each county in this State with the standard of weights and measures as provided in the acts of the Legislature of 1846, and the Treasurer is hereby required to pay the same out of any money in his hands not otherwise appropriated;

Which was read the first time.

On motion of Mr. McAfee,

The Senate adjourned until to-morrow morning half-after nine o'clock.

WEDNESDAY, FEBRUARY, 16, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Dabney presented the petition of sundry citizens of Noxubee county; which,

On his motion,

Was referred to a select committee of three.

Messrs. Dabney, Carter and Pettus, were appointed said committee.

Mr. Guion from the judiciary committee, to whom had been referred,

A bill to be entitled,

An act to amend the practice of the several courts of this State,

Reported said bill back with an amendment.

On motion of Mr. Guion,

The report was received and agreed to.

Mr. Guion from the committee on the judiciary, to whom had been referred,

A bill to be entitled,

An act to cõmpel banks out of the limits of this State, or their assignees, transferees, or usees of action, to take the notes of such bank in payment of their debts,

Reported that in their opinion, the bill ought not to pass.

On motion of Mr. Guion,

The report was received and agreed to.

Mr. Guion from the committee on the judiciary, to whom was referred,

A bill to be entitled,

An act for the relief of Ellen Cherry,

Reported that in the opinion of the committee, the bill should not pass. The bill provides in effect, for the divorce of said Ellen Cherry from the bed and board of her husband, without the interposition of a court of equity, in which all power over the subject in the first instance is vested, by the constitution.

On motion of Mr. Guion,

The report was received and agreed to.

Mr. Guion from the judiciary committee, made the following report, to-wit:

MR. PRESIDENT—The committtee on the judiciary, to whom was referred,

A bill to be entitled,

An act to authorize Robert B. Miller to remove the property of Clarence Miller out of the limits of this State,

Have had the same under consideration, and have instructed me to report, that in their opinion, ample provision is already made by law for the attainment of the object sought by the bill, in a manner better calculated to secure the rights of the minor whose property is to be removed. They are therefore of opinion that the bill should not pass.

On motion of Mr. Guion,

The report was received and agreed to.

Mr. Guion from the judiciary committee, to whom had been referred,

A bill to be entitled,

An act concerning the State Commissioner,

Reported that in the opinion of the committee, it is inexpedient to pass the same.

On motion of Mr. Guion,

The report was received and agreed to.

Mr. Guion from the committee on the judiciary, made the following report, to-wit:

MR. PRESIDENT—The committee on the judiciary, to whom was referred,

A bill to be entitled,

An act to provide for the payment of sheriffs' costs in certain cases,

Have had the same under consideration, and have instructed me to report, that in their opinion it should not pass. While your committee admit that the compensation at present allowed by law, to sheriffs, for the performance of duties connected with State cases, is often very inadequate, yet as the office is sought with eagerness, for the present emoluments, they think it would be bad policy to pass the bill under consideration.

On motion of Mr. Guion,

The report was received and agreed to.

Mr. Guion from the committee on the judiciary, to whom had been referred,

A bill to be entitled,

An act to amend the laws now in force relating to last wills and testaments,

Reported that in their opinion, it is inexpedient to alter the present enactments on the subject. The committee therefore recommend that the bill do not pass.

On motion of Mr. Guion,

The report was received and agreed to.

Mr. Guion from the committee on the judiciary, to whom was referred the memorial of Isaac Dille, guardian, &c., reported,

A bill to be entitled,

An act to authorize Israel Dille, guardian of William B., Mary W. and Victoria D. Bowers, heirs of William H. Bowers, deceased, to sell certain real estate of said heirs;

Which was read the first time.

On motion of Mr. Guion,

The report was received.

On the further motion of Mr. Guion,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Guion,

Said bill was considered as engrossed, the rule further suspended and the bill read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Pegues presented the petition of James Stockard and Charles G. Butler, administrators of James T. Stockard, deceased, which,

On his motion,

Was referred to a select committee of three.

Messrs. Gray, Stewart and Pettus, were appointed said committee.

Mr. Lake from the judiciary committee, made the following report, to-wit:

Mr. President—The judiciary committee, to whom was referred,

A bill to be entitled,

An act further to prohibit the selling or giving to slaves, spirituour or intoxicating liquors,

Have considered the same, and report it back with the recom-

mendation that it shall not become a law. The committee are sensible that the evil intended to be remedied by this bill, still stalks abroad through the land in almost utter defiance of past legislation, but they cannot consent to arrest its progress by the means proposed, for fear that the remedy shall prove a greater scourge than that which it was intended to cure. Some legislation on the subject is doubtless needed, but the committee think that the punishment attached to the offence, by the bill under consideration, is too severe, and warrants the belief, that if permitted to become a law, that it would not be executed; besides which, they think the changes it would make, both in the rules of pleading and evidence, are such as ought not to be sanctioned. For these reasons, they report against it.

Mr. Lake moved to receive and agree to said report.

Mr. Stone called for a division of the question.

The question was then had on the reception of said report,

And decided in the affirmative.

Mr. Lake from the standing committee on the judiciary, whom had been referred,

A bill to be entitled,

An act to change the time of holding the Circuit courts in the third judicial district in this State,

Reported that it is impossible to effect the change desired, so as to be convenient and comport with the interest of all the people of the district. The committee therefore return the bill, and recommend that no action be had upon the subject.

On motion of Mr. White,

The report was received and agreed to,

Mr. Lake from the standing committee on the judiciary, to whom had been referred the petition of John A. Grimball administrator, and Eliza McRae administratrix of David McRae, late of Hinds county, deceased, reported that in the opinion of said committee, the petitioners are already provided by law, with the remedy which they seek at the hands of the legislature.

In Howard and Hutchinson's Digest, page 417, and section 110, the Probate courts are empowered to order a sale of the real estate of the testator or intestate, in lieu of the personal property, whenever, in their opinion, the interest of the estate may require it.

This provision covers the case of the petitioners and renders

further legislation in this behalf unnecessary.

On motion of Mr. Lake,

The report was received and agreed to.

Mr. Labauve asked and obtained leave to the introduction of

A bill to be entitled,

An act to extend the time to Andrew Kerr to complete the turnpike road in the county of Tunica; approved 21st February, 1840;

Which was read the first time.

On motion of Mr. Labauve,

The constutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Labauve,

Said bill was considered as engrossed, and the rule further suspended and the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act for the relief of Richard E. Stratton, and for other purposes,

Was read the second time.

On motion of Mr. Guion,

Said bill was laid on the table.

A bill to be entitled,

An act for the relief of Jane Herrod, and the heirs of Charles B. Herrod,

Was read the second time.

On motion of Mr. Boone,

Said bill was laid on the table.

A bill to be entitled,

An act to incorporate the town of Philadelphia, in Neshoba county,

Was read the second time.

On motion of Mr. Pettus,

The constitutional rule was suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to legalize the public roads in Coahoma county,

Was read the second time.

A bill to be entitled,

An act to reduce the ex-officio services of the clerks and sheriffs of the counties of Perry, Green, Jones, Rankin and Scott,

Was read the second time.

On motion of Mr. Hodges,

Said bill was amended as follows:

Strike out the county of Rankin wherever it occurs in said bill.

A bill to be entitled,

An act to dispose of the surplus copies of the Digest of the State, and reports of the High Court of Errors and Appeals, and also the Chancery reports of the State, now in the State Library,

Was read the second time.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills have examined a bill of the following title, to-wit:

A bill to be entitled,

An act to provide for the appointment of deputy clerks in vacation;

And have found the same correctly engrossed.

A bill to be entitled,

An act for the relief of William H. Batte,

Was read the first time.

A bill to be entitled,

An act to change the time of holding the District Chancery court at Carrollton, and the Circuit court of Holmes county,

Was read the first time.

On motion of Mr. Gray,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On motion of Mr. Kennedy,

The rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to amend an act incorporating the Homochitto Turnpike and Bridge Company, approved 15th February, 1838,

Was read the first time.

The Senate resolved itself into committee of the whole on a bill to be entitled,

An act concerning the code of Mississippi;

And after some time spent therein, the committee rose; and,

Mr. Cannon reported said bill back with sundry amendments.

Mr. Cannon moved to receive and agree to said report.

A division of the question was called for.

The question was first had on the reception of said report;

Which was decided in the affirmative.

Mr. Kennedy offered the following amendment, viz:

Strike out "eight," and insert "six;"

Which was lost.

Mr. Kennedy called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Cannon, Carter, Dabney, Harrison, Kennedy, Lake, McAffee, Pegues, Pettus, Ramsay, Sharpe, Stewart and Stone—13 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Catching, Davis, Gray, Greer, Guion, Hodges, Johnson, Labauve, McDugald, Price, White and Wilborne—17 votes.

On motion of Mr. Guion,

The report of the committee of the whole was agreed to.

Mr. Kennedy called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Catching, Davis, Gray, Greer, Guion, Hodges, Johnson, Lake, Labauve, McDugald, Price, Stewart, White and Wilborne—19 votes.

NOES—Messrs. Cannon, Carter, Dabney, Harrison, Kennedy, McAffee, Pegues, Pettus, Ramsay, Sharpe and Stone—11 votes.

On motion of Mr. Labauve,

Said bill was ordered to be engrossed and made the special order of the day, for its third reading on to-morrow 11 o'clock, A. M.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to incorporate the Holly Springs Rail Road Company;

A bill to be entitled,

An act for the relief of James S. Bailey;

A bill to be entitled,

An act to provide for the removing of the seat of justice in Harrison county;

Resolutions asking Congress to pass an act to prevent the importation of adulterated medicines and chemicals;

Resolution of the Legislature of the State of Mississippi in commemoration of the 22d February;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to provide for levying the Mississippi River in the county of Tunica;

A bill to be entitled,

An act for the benefit of junior judgment creditors;

And have passed a Senate bill to be entitled,

An act for the relief of L. D. Perry.

The Speaker of the House of Representatives has signed,

An act to amend an act entitled an act to incorporate the town of Shieldsborough, and for other purposes;

Which is herewith presented to the Senate for the signature of the President.

The President signed the bill in said message mentioned.

The Senate resolved itself into committee of the whole on a bill to be entitled,

An act to secure the collection of jury tax, and to protect the officers of courts;

And after some time spent therein, the committee rose; and,

Mr. McAffee reported said bill back without amendment.

On motion of Mr. McAffee,

The report was received and agreed to.

On motion of Mr. Ramsay,

Said bill was referred to the committee on the judiciary.

A bill to be entitled,

An act for the repairing of the State Capitol and Executive Mansion,

Was read the third time.

On motion of Mr. Gray,

Said bill was recommitted to the committee on public buildings.

A bill to be entitled,

An act to enable the citizens of Vicksburg to build a pest house,

Was read the third time.

Mr. Boone offered the following amendment, by way of ryder, to-wit:

Section —. *And be it further enacted*, that the same sum be allowed and paid over in the same way to the mayor and aldermen of the town of Eastport in the county of Tishemingo, to be applied by them for the like purpose.

Mr. Gray offered the following amendment to the ryder:

Which was accepted.

"Provided that the town of Eastport shall appropriate the same amount to building a hospital in said town, which appropriation shall be a condition precedent to the receipt of the appropriation contained in this section."

The question was had on the adoption of the ryder as amended;

Which was decided in the affirmative;

And said bill was put on its final passage and lost.

Mr. Briscoe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Boone, Gray, Guion, Hodges, Lake, Pegues, Stewart and White—8 votes.

NOES—Mr. President, Messrs. Beene, Bradford, Briscoe, Cannon, Carter, Catching, Davis, Dabney, Greer, Harrison, Johnson, Kennedy, Labauve, McDugald, McAffee, Price, Pettus, Ramsay, Sharpe, Stone and Wilborne—22 votes.

A bill to be entitled,

An act to amend the acts regulating the mode of proceedings against incorporated banks for a violation of their corporate franchises, approved July 26th, 1843, and February 28th, 1846,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to prevent frauds in conveyances, and to protect innocent purchasers,

Was read the third time.

On motion of Mr. Catching,

Said bill was laid on the table.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills have presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act for the relief of the State Hospital of Mississippi, at Natchez;

An act for the relief of Augustus Pitchford of Holmes county;

An act for the benefit of Thomas J. Likins of Washington county;

An act for the relief of William T. Courts.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined a bill of the following title, to-wit:

An act to amend an act, entitled an act, to incorporate the town of Shieldsboro, and for other purposes;

And have found the same correctly enrolled.

A bill to be entitled,

An act for the benefit of the convicts in the Penitentiary of the State;

Was read the third time and paseed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to amend an act, to prevent the destruction of oysters in the waters of the State of Mississippi, approved July 26th, 1843;

Was read the first time.

On motion of Mr. Ramsay;

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Ramsay,

The rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Hodges,

The Senate adjourned until to-morrow morning, half-after nine o'clock.

THURSDAY, FEBRUARY 17, 1848.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. McDugald asked and obtained leave to the introduction of

A bill to be entitled,

An act to add certain counties therein named, to the southern vice-chancery court district of the State of Mississippi;

Which was read the first time.

On motion of Mr. McDugald,

The constitutional rule was suspended,

And said bill was read the second time forthwith by title.

On the further motion of Mr. McDugald,

The bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Dabney, from a select committee, reported

A bill to be entitled,

An act to incorporate the Noxubee and Bigbee road company;

Which was read the first time,

And recommend the passage of said bill.

On motion of Mr. Dabney.

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Dabney,

The bill was considered as engrossed and the rule was further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Labauve asked and obtained leave to the introduction of

A bill to be entitled,

An act to repeal an act, entitled an act, to provide for funding the treasury warrants of the State of Mississippi, issued prior to the first day of January, 1841, approved February 6th, 1841;

Which was read the first time.

Mr. Sharpe asked and obtained leave to the introduction of

A bill to be entitled,

An act to exempt certain property therein named, from execution and sale;

Which was read the first time.

On motion of Mr. Sharpe,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

Mr. Carter offered the following amendment, viz:

Amend by adding after the Doctor, "Lawyers and School-masters."

Mr. Sharpe moved to reject said amendment,

Which was lost.

The question was had on the adoption of said amendment,

Which was lost.

Mr. Sharpe moved to suspend the rule and consider the bill as engrossed, and read the same the third time forthwith,

Which was lost.

On motion of Mr. Sharpe,

The bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Wilborne, from a select committee, to whom had been referred,

A bill to be entitled,

An act to prevent accidents and injuries in the sale and use of secret medicines, reported said bill back with an amendment by way of substitute, and recommended it to the favorable consideration of the Senate.

On motion of Mr. Wilborne,

The report was received and agreed to,

And said bill as amended read the first time.

Mr. Kennedy asked and obtained leave to the introduction of

A bill to be entitled,

An act to prescribe the duties of the Librarian and Keeper of the Capitol;

Which was read the first time.

On motion of Mr. Kennedy,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Kennedy,

The bill was referred to a select committee of three.

Messrs. Kennedy, Guion, and White were appointed said committee.

Mr. Gray, from a select committee, to whom had been referred the petition of Charles G. Butler and James Stockard, reported

A bill to be entitled,

An act for the relief of the administrators of James T. Stockard, dec'd., and recommend its passage;

Which was read the first time.

On motion of Mr. Pegues,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Pegues,

The bill was considered as engrossed, the rule further suspended,

The bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Boone, from the joint standing committee on claims, made the following report, to-wit:

Mr. President—The joint standing committee on claims, to whom was referred the petition of company I. of the "Marshall Guards," have had the same under consideration, and have instructed me to report a bill herewith submitted, and recommend its passage.

The bill reported, entitled

An act for the relief the officers and privates of company "I." of the "Marshall Guards" of the 1st Regiment of Mississippi Rifles;

Was read the first time.

On motion of Mr. Boone,

The report was received and agreed to.

On motion of Mr. Greer,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Greer,

The bill was considered as engrossed, the rule further suspended,

The bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. McDugald asked and obtained leave to the introduction of

A bill to be entitled,

An act for the relief of Wiley C. Edwards;

Which was read the first time.

On motion of Mr. McDugald,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On motion of Mr. Labauve,

Said bill was referred to the committee on the judiciary.

The following message was received from the House of Representatives, through their clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed,

An act to incorporate the town of Philadelphia, in the county of Neshoba;

An act to amend an act, entitled an act, to prevent the destruction of oysters in the waters of the State of Mississippi, approved July 26th, 1843;

An act to divide the thirty-seventh Regiment of the Mississippi Militia;

An act to provide the mode of administering the oath of office to all newly elected county officers;

An act to change the time of holding the district chancery court at Carrollton, and the circuit court of Holmes county;

An act for the relief of S. D. Perry;

Which are herewith presented to the Senate for the signature of the President.

The Speaker has also signed an act to incorporate the Mobile and Ohio Railroad Company;

Which is also presented for the signature of the President.

The President signed the bills in said message mentioned.

Mr. Guion presented the memorial of a monument committee;

Which was read.

On motion of Guion,

Said memorial together with the accompanying documents, were referred to a select committee of five.

Messrs. Guion, Stewart, Pettus, Price and Harrison, were appointed said committee.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor, for his approval and signature, the following bills, to-wit:

An act to incorporate the Mobile and Ohio Railroad Company;

An act to amend an act, entitled an act to incorporate the town of Shieldsboro, and for other purposes.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to change the time of holding the district chancery court at Carrollton, and the circuit court of Holmes county;

An act to amend an act, entitled an act, to prevent the destruction of oysters in the waters of the State of Mississippi, approved July 26, 1843;

An act to divide the thirty-seventh Regiment Mississippi Militia;

An act to provide the mode of administering the oath of office to all newly elected county officers;

An act to incorporate the town of Philadelphia, in Neshoba county;

An act for the relief of L. D. Perry.

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, viz:

An act for the relief of L. D. Perry;

An act to incorporate the Mobile and Ohio Railroad Company;

An act to amend an act, entitled an act, to prevent the destruction of oysters in the waters of the State of Mississippi, approved July 26th, 1843;

An act to incorporate the town of Philadelphia, in Neshoba county;

An act to provide the mode ef administering the oath of office to all newly elected county officers;

An act to divide the thirty-seventh Regiment Mississippi, Militia;

An act to change the time of holding the district chancery court at Carrollton, and the circuit courts of Holmes county;

And have found the same correctly enrolled.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act to incorporate the town of Spring Hill, in the county of Tippah;

An act to incorporate the Mutual Life Insurance Company of Mississippi, approved February 15th, 1848.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

MR. PRESIDENT—The committee on engrossed bills have examined a bill of the following title, to-wit:

A bill to be entitled,

An act concerning the Code of Mississippi.

And have found the same correctly engrossed.

Mr. Lake, from a select committee, made the following report, to-wit:

MR. PRESIDENT—The special committee to whom was referred, the petition of James E. White, have had the same under consideration, and are of opinion that the relief prayed for cannot justly be afforded by the legislature. The petioner represents that one Howel Miller purchased a lot of ground in the city of Jackson, from the State, for the sum of $850 00, payable in three instalments, one only of which was paid. That said Miller sold said lot to one Joseph Hicks, who sold it shortly afterwards to the petitioner, who improved it and has since sold it. The State having sold this lot on a credit, of course reserved a lien for the purchase money, which being matter of record, is supposed by the law to have been known to all the world. It seems however that the petitioner was ignorant of the State's lien, and having paid the purchase money to Hicks, from whom he purchased is now liable to lose the amount due to the State from Miller. Under this state of facts, your committee are srtisfied that the petitioner's loss is the result of his own negligence and ought not to be releived against. He might have ascertained the lien of the State on this lot if he had used due diligence, but not having done so, he ought to bear his loss without complaint, or at least without an application to the legislature for redress.

On motion of Mr. Lake,

The report was received and agreed to.

Mr. Price asked and obtained leave for the introduction of

A bill to be entitled,

An act to repeal an act to regulate the practice of the circuit

courts of this State in certain cases, approved 3d of March, 1846;

Which was read the first time.

Mr. Hodges called for the consideration of a bill on the orders of the day,

To be entitled,

An act for the relief of William H. Batte;

Which was read a third time forthwith, put on its final passage, and lost.

Mr. Sharpe called from the table,

A bill to be entitled,

An act to regulate the practice and proceedings in the high court of errors and appeals of the State of Mississippi;

Which was read forthwith; and

On motion of Mr. Labauve,

Postponed indefinitely.

The Senate proceeded to the consideration of the orders of the day.

A bill to be entitled,

An act to legalize the public roads in Coahoma county,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to reduce the *ex-officio* services of the clerks and sheriffs of the counties of Perry, Greene, Jones, Rankin and Scott,

Was read a third time, as amended, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to dispose of the surplus copies of the Digest of the State, and Reports of the High Court of Errors and Appeals, and also the Chancery Reports of the State, now in the State Library,

Was read the third time, put on its passage, and lost.

A bill to be entitled,

An act to amend an act incorporating the Homochitto Turnpike and Bridge Company, approved 15th of February, 1838,

Was read the second time.

On motion of Mr. Stewart,

The constitutional rule was suspended,

And the bill was read the third time forthwith by title, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to provide for removing the seat of justice in Harrison county,

Was read the first time.

On motion of Mr. Ramsay,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Ramsay,

Said bill was laid on the table.

A bill to be entitled,

An act for the relief of James L. Bailey,

Was read the first time.

On motion of Mr. White,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Guion,

The rule was further suspended,

The bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Carter asked and obtained leave for the introduction of

A bill to be entitled,

An act to legalize the sale of the 16th section in township 6, range 16 east, in the county of Lauderdale;

Which was read the first time.

On motion of Mr. Carter,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Carter,

The bill was considered as engrossed, the rule further suspended, the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate the Holly Springs Rail Road Company,

Was read the first time.

On motion of Mr. Greer,

The constitutional rule was suspended,

And said bill read the second time forthwith, by title.

On the further motion of Mr. Greer,

The rule was further suspended,

The bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A resolution of the State of Mississippi, in commemoration of the 22d of February,

Was read; and

On motion of Mr. Stone,

Concurred in.

A resolution asking Congress to pass an act to prevent the importation of adulterated medicines and chemicals,

Was read; and

On motion of Mr. Labauve,

Concurred in.

A bill to be entitled,

An act concerning the code of Mississippi,

Was read the third time.

On motion of Mr. Dabney,

A call of the Senate was ordered.

On motion of Mr. Labauve,

The absentees were sent for.

The absentees appearing, the call was suspended;

And said bill was put upon its final passage, and lost.

Mr. Dabney called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Bradford, Briscoe, Catching, Davis, Greer, Guion, Lake, Labauve, McDugald, Price, Stewart, White and Wilborne—15 votes.

NOES—Messrs. Beene, Cannon, Carter, Dabney, Gray, Harrison, Hodges, Johnson, Kennedy, McAffee, Pegues, Pettus, Ramsay, Sharpe and Stone—15 votes.

On motion of Mr. Ramsay,

The vote last taken, was reconsidered.

On motion of Mr. Ramsay,

Said bill was referred to a select committee of five.

Messrs. Ramsay, Guion, Gray, Labauve and Price, were appointed said committee.

A bill to be entitled,

An act for the relief of Thomas Blewit Godbold,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to authorize the President and Directors of the West Feliciana Rail Road Company to close up the banking department of that institution, and for other purposes,

Was read the second time.

Mr. Briscoe moved to lay said bill on the table;

Which was lost.

Mr. Stewart called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Beene, Briscoe, Catching, Johnson, Kennedy, Labauve, Price Sharpe and Wilborne—9 votes.

NOES—Mr. President, Messrs. Boone, Bradford, Cannon, Carter, Davis, Dabney, Gray, Guion, Harrison, Hodges, Lake, McDugald, McAffee, Pegues, Pettus, Ramsay, Stewart, Stone and White—20 votes.

Mr. Briscoe offered the following amendment, to-wit:

Section —. *Be it further enacted*, That if any debtor of said bank shall within six months after the passage of this act, sufficiently secure his or her debt either by mortgage or personal security, he or she shall be permitted to pay their debt in three equal annual instalments at such rate of interest as the bank by its charter is allowed to receive, either in money or the legal liabilities of the bank, or such other person or corporation who holds or owns such debt;

Which was lost.

Mr. Briscoe called for the ayes and noes thereon, which are as follows to-wit:

AYES—Messrs. Boone, Briscoe, Catching, Davis, Dabney, Johnson, Kennedy, Labauve, McAffee, Price, Sharpe, Stone and Wilborne—13 votes.

NOES—Mr. President, Messrs. Beene, Bradford, Cannon, Carter, Gray, Guion, Harrison, Hodges, Lake, McDugald, Pegues, Pettus, Ramsay, Stewart and White—16 votes.

Mr. Bradford offered the following amendment, to-wit:

Amend by an additional section:

Section —. *Be it further enacted*, that said corporation, its assignee or assignees, shall at all times take all bank notes issued by said corporation, in payment of any debt due the same;

Which was accepted.

Mr. Briscoe offered the following amendment, to-wit:

Section —. *Be it further enacted,* that if the said bank shall fail to surrender her banking franchises within three months from the passage of this act, that this act shall be void and of no effect, and that any transfer of bills receivable or other property made by said bank by virtue of this law, shall be null and void.

Mr. Stewart offered the following amendment to the amendment:

Strike out "three months," and insert "six months."

The question was had on the adoption of the amendment to the amendment;

Which was decided in the affirmative.

The question was next had on the adoption of the amendment as amended; which was decided in the affirmative.

Mr. Stewart moved to engross said bill as amended, for a third reading on to-morrow.

Mr. Briscoe moved for its third reading on Tuesday next.

The question was had on the longest time first, (Tuesday next;)

Which was lost.

On motion of Mr. Briscoe,

Its third reading on engrossment, was ordered on Monday next, special order.

A bill to be entitled,

An act to prescribe the number of assistant clerks,

Was read the second time.

Mr. Harrison moved to engross said bill for its third reading on to-morrow; which was lost.

On motion of Mr. Ramsay, said bill was laid on the table.

Mr. Harrison called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Boone, Beene, Briscoe, Carter, Catching, Davis, Dabney, Guion, Hodges, Johnson, Kennedy, Lake, Labauve, McDugald, Ramsay, Sharpe, Stone, White and Wilborne—20 votes.

Noes—Messrs. Bradford, Cannon, Gray, Harrison, McAffee, Pegues, Pettus and Stewart—8 votes.

A bill to be entitled,

An act for the benefit of the returned officers and soldiers from the service of the United States in Mexico,

Was read the second time.

On motion of Mr. Gray,

Said bill was indefinitely postponed.

A resolution in relation to the office of State Commissioner,

Was read the second time.

Mr. Cannon offered the following amendment, to-wit:

Strike out all after the word "resolved," and insert, "that the office of State Commissioner be abolished, and that the Auditor be required to take charge of the books, funds, &c., and that an additional clerk be allowed said Auditor for so doing, at a salary of one thousand dollars."

On motion of Mr. Boone,

The resolution and the amendment,

Were laid on the table.

A bill to be entitled,

An act to amend an act entitled an act to amend the several laws of the State relative to the courts of probate,

Was read the second time.

On motion of Mr. Labauve,

Said bill was referred to the committee on the judiciary.

A bill to be entitled,

An act to prevent the obstruction of navigable streams,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

A resolution in relation to weights and measures, to be established in each county,

Was read the second time.

Mr. Catching moved to lay said resolution on the table;

Which was lost.

Mr. Labauve offered the following amendment, viz:

"Provided that the sum shall not exceed one thousand dollars."

On motion of Mr. Pettus,

Said resolution was referred to a select committee of five.

Messrs. Pettus, Boone, Labauve, McDugald and Lake, were appointed said committee.

Mr. Ramsay, from the select committee, to whom had been referred,

A bill to be entitled,

An act concerning the code of Mississippi,

Reported said bill back with sundry amendments;

Which were read.

Mr. Ramsay moved to receive and agree to said report.

Mr. Kennedy called for a division of the question.

The question was had on the reception of said report;

Which was decided in the affirmative.

Mr Kennedy moved to disagree to said report.

Pending the discussion thereon,

Mr. Gray, from a joint select committee, made the following report, to-wit:

Mr. President—The joint select committee appointed to examine into the expediency of printing the public acts and resolutions of the Legislature only, have had the subject under consideration, and have instructed me to report a bill herewith submitted, and recommend the same to the favorable consideration of the Senate.

The bill therein reported, entitled

An act to regulate the publication of the laws of this State,

Was read the first time.

On motion of Mr. Gray,

The report was received.

On motion of Mr. Wilborne,

The Senate adjourned until half-after nine o'clock to-morrow morning.

FRIDAY, February 18th, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Labauve from the committee on propositions and grievances, made the following report, to-wit:

Mr. President—The standing committee on propositions and grievances, to whom was referred the petition of L. V. Dixon, have had the same under consideration, and have instructed me to report, that in the opinion of the committee, it is inexpedient for the legislature to interfere with the judgments of courts, inasmuch as it is impracticable for the legislature to hear both sides of the

cause. For these simple reasons, and as this case under consideration has been once submitted to the proper tribunal of the country, and a decree having been entered against the petitioner, your committee therefore ask to be discharged from the further consideration of the same.

On motion of Mr. Labauve,

The report was received and agreed to.

Mr. Cannon asked and obtained leave to the introduction of

A bill to be entitled,

An act to remove the Vice Chancery Court from Fulton to Aberdeen, and for other purposes;

Which was read the first time.

Mr. Harrison moved to suspend the constitutional rule, and read the bill the second time forthwith;

Which was lost.

Mr. Johnson asked and obtained leave to the introduction of

A bill to be entitled,

An act to repeal an act entitled an act to incorporate the town of Greensborough, and repeal all other acts incorporating the same, approved 18th February, 1846, and for other purposes;

Which was read the first time.

On motion of Mr. Johnson,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Johnson,

The bill was considered as engrossed, the rule further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have passed bills of the following titles, to-wit:

A bill to be entitled,

An act supplemental to an act passed at the present session, entitled an act to amend an act to incorporate the Canton and Jackson Rail Road Company, approved February the 5th, 1841;

A bill to be entitled,

An act to incorporate the town of Oakland, in Talahatchie county;

A bill to be entitled,

An act to add certain counties therein named, to the Southern Vice Chancery District, &c.;

A bill to be entitled,

An act to exempt certain property therein named, from execution and sale;

A bill to be entitled,

An act to authorize the President and Directors of the West Feliciana Rail Road Company to close up the banking department of that institution, and for other purposes;

And have found the same correctly engrossed.

The following message was received from his Excellency, the Governor, through his private Secretary, to-wit:

To the Senate:

I nominate Charles D. Learned, Anderson Hutchinson and G. C. Smith, to be inspectors of the Penitentiary, for two years from and after date, this 18th day of Feruary, 1848.

J. W. MATTHEWS.

Executive Chamber.

On motion of Mr. Labauve,

Said message was laid on the table.

The President announced that he had received the following communication from the Auditor of Public Accounts, to-wit:

AUDITOR'S OFFCE, Jackson, February 18, 1848.

Hon. Dabney Lipscomb, President of the Senate:

SIR: I beg leave respectfully to ask some action of the legislature for the relief of George Holley of Harrison county.

By an act entitled "an act for the relief of George Holley of Harrison county," approved February 13, 1846, the Auditor was required to grant Mr. Holly certain warrants therein mentioned, in lieu of funded scrip warrants number 506, 507 and 508, then alledged to be lost.

On yesterday I was applied to by Mr. Holley, for the relief accorded him by the act, but I am informed siace the passage of said act, during the year 1846, said warrants, No. 506 and 507, then due, were presented at this office by James Hill, Esq., the sheriff of Choctaw county, in part payment of the revenue from that county, without any endorsement by George Holley, the payee. No interest had been paid on either of them. Payment of them was

refused on account of the want of said endorsement, and said warrants carried away by Mr. Hill. They have not been presented at this office since, nor, as I am informed by the Treasurer, has either of them yet been paid.

The warrants supposed to be lost, having thus been proven to be in existence, and in the possession of a particular individual, without the endorsement of the payee, I am advised that it is my duty to report the facts to the legislature, for such action as to them shall seem fit in the present posture of the case.

I have the honor to be your obedient servant,

GEO. T. SWANN,
Auditor of Public Accounts.

On motion of Mr. Labauve,

Said communication was referred to the committee on the judiciary.

The following message was received from the House of Representatives, through their Clerk, to wit:

Mr. President—The Speaker of the House of Representativs has signed,

An act to incorporate the town of Pass Christian, in the county of Harrison;

An act to amend an act incorporating Homochitto Turnpike and Bridge Company, approved February, 1838;

An act to legalize the public roads in Coahoma county;

An act for the relief of James S. Bailey;

A resolution of the State of Mississippi in commemoration of 22d February;

A resolution asking Congress to pass an act to prevent the importation of adulterated medicines and chemicals;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed,

A bill to be entitled,

An act for the relief of Thomas Pleasants;

In which I am instructed to desire the concurrence of the Senate.

The President signed the bills in said message mentioned.

Mr. Guion asked and obtained leave to the introduction of

A bill to be entitled,

In which I am instructed to desire the concurrence of the Senate.

They have also passed bills from the Senate of the following titles:

A bill to be entitled,

An act to extend the corporate limits of the city of Jackson;

A bill to be entitled,

An act to authorize Wm. B. Reed and Richard A. Howard to construct a turnpike road across the Noxubee swamp near Macon.

Mr. Briscoe offered the following resolution, viz:

Resolved, that the resolution adopted by the Senate, fixing on the 26th day of February (instant), as the day on which the two Houses would adjourn sine die, be rescinded; and that, with the concurrence of the House of Representatives, the legislature will adjourn *sine die*, on Friday, the 25th of February instant;

Which was read the first time.

Mr. Briscoe moved to suspend the rule which requires joint resolutions to lie over one day, and read the resolution a second time forthwith;

Which was lost.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—Phe joint standing committee on enrolled bills, have examined bills of the following titles, to-wit:

An act to incorporate the town Pass Christian, in the county of Harrison;

An act to amend the act incorporating Homochitto Turnpike and Bridge Company, approved 15th February, 1838;

An act to legalize the public roads in Coahoma county;

An act for the relief of James L. Bailey;

A resolution of the State of Mississippi in commemoration of the 22d February;

A resolution asking Congress to pass an act to prevent the importation of adulterated medicines and chemicals;

And have found the same correctly enrolled.

The Senate proceeded to the consideration of the orders of the day:

A bill to be entitled,

An act concerning the code of Mississippi;

Was before the Senate on the motion entered on yesterday, to disagree to the report of the select committee.

Mr. Kennedy offered the following amendment to said report:

Amend by striking out the word "half;"

Which was adopted.

Mr. Briscoe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Beene, Bradford, Cannon, Catching, Greer, Guion, Kennedy, Lake, Labauve, McAffee, Price, Pegues, Pettus, Singleton, Sharpe, Stone, White and Wilborne—20 votes.

NOES—Messrs. Briscoe, Carter, Davis, Dabney, Gray, Harrison, Hodges, Johnson, McDugald, Ramsay and Stewart—11 votes.

Mr. Singleton offered the following amendment, by way of ryder:

Section —. *Be it further enacted*, that if any of the officers in this act recited, who shall receive a copy of said code from the State of Mississippi, shall fail to deliver over the same to his successor in office, within three months after the expiration of the term of his office, he shall be subject to a fine of twelve dollars for such failure, to be recovered at the suit of any person that may think proper to sue for the same, in any court of competent jurisdiction; and half of said fine to go to the person suing, and the other half into the State Treasury;

Which was adopted.

On motion of Mr. Labauve,

Said bill as amended, was considered as engrossed, and the bill put on its final passage and passed:

Ordered, that the title thereof be as stated.

Mr. Carter called for the ayes and noes on the passage of said bill, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Catching, Davis, Greer, Guion, Kennedy, Lake, Labauve, McDugald, McAffee, Price, Ramsay, Singleton, Sharpe, Stone, White and Wilborne—22 votes.

NOES—Messrs. Carter, Dabney, Gray, Harrison, Hodges, Johnson, Pegues, Pettus and Stewart—9 votes.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

MR. PRESIDENT—The committee on engrossed bills, have examined bills of the following titles, to-wit:

An act to prevent the sacrifice of property sold under execution, and for other purposes;

Which was read the first time.

Mr. Hodges moved to suspend the rule, and read the bill the second time forthwith,

Which was lost.

Mr. Price offered a resolution in relation to the committee appointed to wait on Generals Taylor and Quitman;

Which was read the first time.

On motion of Mr. Labauve,

Said resolution was laid on the table.

A bill to be entitled,

An act to provide for the appointment of deputy clerks in vacation,

Was read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Greer moved a recess until 3 o'clock P. M.,

Which was lost.

Mr. Stone asked and obtained leave to the introduction of

A bill to be entitled,

An act to provide for the licensing of billiard tables, approved February 23d, 1844;

Which was read the first time.

On motion of Mr. Stone,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. McDugald offered the following amendment, to-wit:

After "Lawrence," insert "Jasper;"

Which was accepted.

Mr. Catching offered the following amendment, to-wit:

After "Jasper," insert "Copiah;"

Which was accepted

On motion of Mr. Stone,

The bill was considered as engrossed, the rule further suspended, and the bill read the third time forthwith.

Mr. Boone offered the following amendment, by way of ryder, to-wit:

Section —. *Be it further enacted*, that the provisions of this bill is extended to towns or vilages throughout the State, where the white population does not exceed five hundred;

Which was lost;

And said bill as amended, was put on its final passage and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to prohibit the sale of vinous and spirituous liquors in quantities less than five gallons within five miles of the University of Mississippi;

A bill to be entitled,

An act to amend the road laws of the county of Monroe;

A bill to be entitled,

An act to amend an act to secure to the owners of slaves executed by sentence of law, compensation for the same;

In which I am instructed to desire the concurrence of the Senate.

A bill to be entitled,

An act to amend the practice of the several courts of this State,

Was read the second time.

On motion of Mr. Price,

Said bill was ordered to be engrossed for a third reading on to-morrow.

On motion of Mr. Hodges,

The Senate adjourned until to-morrow morning half after nine o'clock.

SATURDAY, February 19, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Wilborne presented the petition of E. L. Acee; which,

On his motion,

Was referred to the committee on claims.

Mr. Price asked and obtained leave to the introduction of

A bill to be entitled,

An act to authorize the Governor to commute punishment in certain cases;

Which was read the first time.

On motion of Mr. Price,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Price,

Said bill was referred to the committeed on the judiciary.

Mr. Lake presented the claim of Jefferson M. Graybill, assignee of the Mississippi Union Bank; which,

On his motion,

Was referred to the commitee on claims.

Mr. Lake, on his motion,

Had leave to withdraw the petition of L. V. Dixon.

Mr. Davis from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to amend an act incorporating the Homochitto Turnpike and Bridge Company, approved 15th February, 1838;

An act to incorporate the town of Pass Christian, in the county of Harrison;

An act to legalize the public roads in Coahoma county;

An act for the relief of James S. Bailey;

A resolution asking Congress to pass an act to prevent the importation of adulterated medicines and chemicals;

A resolution of the State of Mississippi in commemoration of 22d February.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills, have examined a bill of the following title, to-wit:

A bill to be entitled,

An act to amend the practice of the several courts of this State;

And have found the same correctly engrossed.

The Senate proceeded to the consideration of the orders of the day.

A bill supplementary to an act entitled an act to establish an

inferior court of Chancery for the northern district of Mississippi;

Was read the third time.

On motion of Mr. Price,

Said bill was referred to a select committee of three.

Messrs. Price, Labauve and Greer, were appointed said committee.

The following message was received from the House of Representatives, through their Clerk, viz:

Mr. President—The House of Representatives have passed a Senate bill entitled,

An act to provide for the sale of the five hundred thousand acres of land, donated to the State of Mississippi by the Congress of the United States, for purposes of internal improvement,

And have made an amendment thereto;

In which I am instructed to desire the concurrence of the Senate.

On motion of Mr. Cannon,

The bill last named, with the amendment of the House of Representatives thereto, was before the Senate for consideration.

Mr. Guion offered the following amendment to said amendment, to-wit:

Amend the amendment, by inserting at the end thereof:

"And the amount of funds now in the treasury to the credit of the sinking fund, and all moneys which may hereafter be collected and paid into the treasury on account of said fund, be, and the same is hereby applied to the payment of the interest on the bonds of the State issued for stock in the Planters Bank, and shall be paid out in discharge of coupons of interest, according to their priority of maturity;"

Mr. Briscoe moved to lay said last named amendment on the table;

Which was lost.

Mr. Guion called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Carter, Catching, Greer, McDugald, McAffee, Price, Pettus, Ramsay and Wilborne—14 votes.

Noes—Messrs. Cannon, Davis, Dabney, Gray, Guion, Harrison, Hodges, Johnson, Kennedy, Labauve, Pegues, Singleton, Sharpe, Stewart, Stone and white—16 votes.

On motion of Mr. Guion,

A call of the Senate was had.

On motion of Mr. Guion,

The absentee was sent for.

The absentee appearing,

The further call was suspended.

Mr. Gray moved to postpone the further consideration of said bill and the amendments, until Monday next;

Which was lost.

Mr. Cannon called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Dabney, Gray, Guion, Hodges, Johnson, Kennedy, Lake, Labauve, McDugald, Pegues, Sharpe, Stewart, Stone and White—14 votes

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Catching, Davis, Greer, Harrison, McAffee, Price, Pettus, Ramsay, Singleton and Wilborne—17 votes.

The question was thereupon had on the amendment to the amendment;

Which was lost.

Mr. Guion called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Dabney, Gray, Guion, Hodges, Johnson, Kennedy, Lake, Labauve, Pegues, Sharpe, Stewart, Stone and White—13 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Catching, Davis, Greer, Harrison, McDugald, McAffee, Price, Pettus, Ramsay, Singleton and Wilborne—18 votes.

Mr. Dabney offered the following amendment, to-wit:

Amend by adding to the amendment:

Provided that this act be submitted to the people of the State, as provided by the constitution for pledging the faith of the State for the payment of loans or debts borrowed on the faith or credit of the State; and that they be required to vote at the next general election, for or against pledging the faith of the State for the payment to the internal improvement fund said loan or debt.

On motion of Mr. Cannon.

Said amendment was laid on the table.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Catching, Davis, Greer, Harrison, Hodges, McDugald, McAffee, Price, Pettus, Ramsay, Singleton, Stewart and Wilborne—20 votes.

Noes—Messrs. Dabney, Gray, Guion, Johnson, Kennedy, Lake, Labauve, Pegues, Sharpe, Stone and White—11 votes.

Mr. Labauve moved to recommit said bill and the amendment, to a select committee of five;

Which was lost.

Mr. Briscoe called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Messrs. Dabney, Guion, Hodges, Johnson, Kennedy, Labauve, McDugald, Sharpe, Stone and White—10 votes.

Noes—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Davis, Gray, Greer, Harrison, McAffee, Price, Pegues, Pettus, Ramsay, Singleton, Stewart and Wilborne—19 votes.

On motion of Mr. Beene,

The Senate concurred in the amendment made by the House to said bill.

Mr. Cannon called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Catching, Davis, Greer, Harrison, McDugald, McAffee, Price, Pettus, Ramsay, Singleton and Wilborne—18 votes.

Noes—Messrs. Dabney, Gray, Guion, Hodges, Johnson, Kennedy, Labauve, Pegues, Sharpe, Stewart, Stone and White—12 votes.

Mr. Price from a select committee, to whom had been referred,

A bill supplementary to an act entitled an act to establish an Inferior Court of Chancery for the northern district of Mississippi,

Reported said bill back with an amendment.

On motion of Mr. Labauve,

Said report was received and agreed to.

On the further motion of Mr. Labauve,

The amendment was considered as engrossed, and the bill as a mended, put on its third reading forthwith.

Mr. Greer offered the following amendment, by way of ryder, to-wit:

Section —. *Be it further enacted*, that any suit of which either the Vice-Chancery Court at Holly Springs or Hernando may have jurisdiction, may be brought in the one court or the other, at the election of the plaintiff;

Which was lost;

And said bill as amended, was put on its final passage, and passed.

Ordered, that the title thereof be as stated.

Mr. Kennedy, from the select committee, to whom had been referred;

A bill to be entitled,

An act to prescribe the duties of Librarian and Keeper of the Capitol;

Reported said bill back with an amendment.

On motion of Mr. Kennedy,

The report was received,

And the bill as amended read.

Mr. Bradford offered the following amendment, to-wit:

Insert before the word "Auditór" Governor, and after the word "State" or a majority of the three;"

Which was adopted.

On motion of Mr. Kennedy,

The report was agreed to.

On motion of Mr. Kennedy,

The bill as amended was ordered to be engrossed for a third reading on Monday next.

Mr. Harrison moved to call from the table,

A bill to be entitled,

An act to provide for the payment of the Planters Bank bonds and coupons, issued by the State on account of the Planters Bank.

Pending the discussion on said motion.

Mr. Sharpe moved an adjournment until Monday next,

Which was lost.

Mr. Briscoe moved a recess untill 3 o'clock, P. M.

Which was lost.

The question was therupon had on the motion of Mr. Harrison, to call said bill from the table,

Which was decided in the affirmative.

Mr. Sewart called for the ayes and noes thereon,

Which are as follows, to-wit:

Ayes—Mr. President, Messrs. Boone, Cannon, Davis, Dabney, Gray, Greer, Guion, Harrison, Kennedy, Labauve, McDugald, Pegues, Pettus, Ramsay, Singleton, Stewart, Stone, White, and Wilborne—20 votes.

Noes—Messrs. Beene, Bradford, Briscoe, Carter, Catching, Hodges, Johnson, McAfee, Price, and Sharpe—10 votes.

And said bill was before the Senate on its second reading.

Mr. Bradford moved to lay said bill on the table;

Which was lost.

Mr. Guion called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Messrs. Boone, Beene, Bradford, Briscoe, Carter, Catching, Johnson, McAfee, Price, and Sharpe—10 votes.

Noes—Mr. President, Messrs. Cannon, Davis, Dabney, Gray, Greer, Guion, Harrison, Hodges, Kennedy, Labauve, McDugald, Pegues, Pettus, Ramsay, Singleton, Stewart, Stone, White, and Wilborne—20 votes.

Mr. Price moved to commit said bill to the whole house for Monday next;

Which was lost.

Mr. Catching offered the following amendment:

Strike out section 2nd, 3rd, 4th, 5th, and 6th.

The question was had on striking out the second section;

Which was decided in the affirmative.

Mr. Guion called for the ayes and noes thereon, which are as follow, to-wit:

Ayes—Mr. President, Messrs. Boone, Bradford, Briscoe, Cannon, Carter, Catching, Davis, Dabney, Hodges, Labauve, McDugald, McAfee, Price, Ramsay, Singleton, Sharpe, and Stone—18 votes.

Noes—Messrs. Beene, Gray, Greer, Guion, Harrison, Johnson, Kennedy, Pegues, Pettus, Stewart, White, and Wilborne—12 votes.

The question was next had on striking out the third section;

Which was decided in the affirmative.

The question was next had on striking out the fourth section;

Which was decided in the affirmative.

The question was next had on striking out the fifth section;

Which was decided in the affirmative.

The question was then had on striking out the sixth section;

Which was decided in the affirmative.

Mr. Sharpe offered the following amendment, to-wit:

Strike out the first section after the enacting clause;

Which was lost.

Mr. Guion called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Beene, Bradford, Johnson, Price, Ramsay, Sharpe, and Stone—8 votes.

Noes—Messrs. Boone, Briscoe, Cannon, Carter, Catching, Davis, Dabney, Gray, Greer, Guion, Harrison, Hodges, Kennedy, Labauve, McDugald, McAfee, Pegues, Pettus, Singleton, Stewart, White, and Wilborne—22 votes.

Mr. Catching offered the following amendment:

Amend the first section by striking out of the bill, all of the second line of the bill to the words "the amount."

Mr. Ramsay offered the following amendment to the amendment, viz:

Amend by striking out of 2nd line, 1st section from the words "the" to being inclusive, and insert in said line after the word treasury "and whatever may hereafter come into the treasury belonging to said fund;"

Which was accepted.

The question was thereupon had on the adoption of the amendment as amended;

Which was decided in the affirmative.

Mr. Bradford offered the following amendment, to-wit:

Amend by inserting after the word "treasury" the following "in gold and silver;"

Which was lost.

Mr. Boone offered the following amendment, viz:

Amend at the end of fifth line after bank, the following:

"The first due to be paid first;"

Mr. Catching offered the following amendment as a substitute for the amendment, to-wit:

"*Be it further enacted*, that the appropriations herein made, are

expressly provided for the payment of coupons and interest on said bonds, according to their priority of maturity;"

Which was accepted.

The question was then had on the adoption of said amendment as amended;

Which was decided in the affirmative.

On motion of Mr. Price,

Said bill as amended, was ordered to be engrossed for a third reading on Monday next.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Cannon, Carter, Catching, Davis, Gray, Greer, Guion, Harrison, Hodges, Kennedy, McDugald, McAfee, Price, Pegues, Pettus, Ramsay Singleton, Stewart, Stone, White, and Wilborne—23 votes.

NOES—Messrs. Beene, Bradford, Briscoe, Dabney, Johnson, Labauve, and Sharpe—7 votes.

Mr. Price, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to authorize William B. Reed and Richard A. Howard, to construct a turnpike road across the Noxubee swamp near Macon;

An act to extend the corporate limits of the city of Jackson;

An act to incorporate the Holly Spring Railroad Company;

And have found the same correctly enrolled.

The following message was received from the House of Representatives, through their clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed,

An act to extend the corporate limits of the city of Jackson;

An act to authorize William B. Reed and Richard A. Howard, to construct a turnpike road across the Noxubee swamp near Macon;

An act to incorporate the Holly Springs Railroad Company.

The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act for the better regulation of the State Library;

A bill to be entitled,

An act to provide for the authentication of deeds, bills of sale, powers of attorney, and relinquishments of dower, made and executed in any other State;

A bill to be entitled,

An act to amend an act, entitled an act for the more healthy police of the city of Natchez, and to provide against infectious and pestilential diseases, passed February 10th, 1818;

A bill to be entitled,

An act for the further endowment of the University of Mississippi;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed bills from the Senate of the following titles:

A bill to be entitled,

An act to abolish the office of State Architect;

A bill to be entitled,

An act to establish a ferry across Yazoo river, at the city of Yazoo, in Yazoo county;

A bill to be entitled,

An act to define the boundary of Tunica county;

A bill to be entitled,

An act to amend an act, reducing the fees of certain officers therein named, approved 10th February, 1844, so far as the same relates to the counties of Harrison and Smith;

And have made an amendment thereto;

In which I am instructed to desire the concurrence of the Senate.

The President signed the bills in said message mentioned.

Mr. Guion asked and obtained leave to the introduction of

A bill to be entitled,

An act to authorize the State Commissioner or such person as may by law have charge of the sinking fund, seminary fund, and town lot fund of the State, to compromise with debtors of said funds;

Which was read the first time.

On motion of Mr. Guion,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Guion,

The bill was considered as engrossed, the rule was further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Gray,

The Senate adjourned until Monday morning, half-after nine o'clock.

MONDAY, FEBRUARY 21, 1848.

The Senate met pursuant to adjournment.

The Journal of Saturday was read.

Mr. Labauve, from the joint standing committee on propositions and grievances, to whom had been referred the petition of sundry citizens of Tishemingo county, for the relief of John Graham, reported unfavorably, and asked to be discharged from the further consideration thereof.

On motion of Mr. Labauve,

Said report was received and agreed to.

Mr. Stone presented the claim of Jonathan Weathersby; which,

On his motion,

Was referred to the committee on claims.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to abolish the office of State Architect;

An act to provide for the sale of the 500,000 acres of land donated to the State of Mississippi by the Congress of the United States, for purposes of internal improvement;

And have found the same correctly enrolled.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to amend an act, approved 10th February, 1844, entitled an act to reduce the fees of certain officers therein named;

A bill to be entitled,

An act to amend the 5th section of the 31st chapter of Howard and Hutchinson's Digest, in regard to marriage license;

A bill to be entitled,

An act to reduce the taxes on merchandize sold by auctioneers;

A bill to be entitled,

An act to change the name of Tishemingo county;

A bill to be entitled,

An act entitled an act to regulate the practice and proceedings in action of ejectment, and for other purposes, approved March 5th, 1846;

A bill to be entitled,

An act to amend an act entitled an act to establish a vice-chancery court in the northern district of Mississippi; also, to amend an act to establish a vice-chancery court in the southern district of the State of Mississippi;

And have passed a Senate bill to be entitled,

An act to incorporate the town of Quitman, in the county of Clarke.

The House of Representatives have passed the following Senate resolution:

Resolved, (the House of Representatives concurring,) that both houses adjourn *sine die* on Saturday the 26th instant;

And have made the following amendment thereto:

Strike out the "26th instant," and insert the "4th day of March;"

In which I am instructed to desire the concurrence of the Senate.

Mr. Beene, from the standing committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills, have examined bills of the following titles, to-wit:

A bill to be entitled,

An act to provide for the payment of the Planters Bank bonds and coupons, issued by the State on account of the Planters Bank;

A bill to be entitled,

An act to limit the powers of the Librarian and Keeper of the Capitol;

And have found the same correctly engrossed.

Mr. Stone, from a select committee, to whom had been referred the petition of John H. Hilliard and Jacob F. Foute, executors of

the last will and testament of Thomas Y. Grinstead late of Lawrence county, deceased, reported

A bill to be entitled,

An act to allow and confirm the emancipation of the woman slave called Mary and her five children, according to the bequest and directions of the last will and testament of their former owner the late Thomas Y. Grinstead, deceased, of Lawrence county, Mississippi;

Which was read the first time.

Mr. Stone moved to receive and agree to said report.

Mr. Sharpe called for a division of the question.

The question was first had on the reception of said report;

Which was decided in the affirmative.

On motion of Mr. Sharpe,

The report was disagreed to.

Mr. Labauve, from the committee on propositions and grievances, to whom had been referred the petition of Simon P. Holden,

Reported, that if the children named in said petition, are the children of a free woman, no legislation is necessary, and ask leave to be discharged from further consideration of the subject.

Mr. Labauve moved to receive and agree to said report.

Mr. Sharpe called for a division of the question.

The question was first had on receiving said report;

Which was decided in the affirmative.

The question was next had on agreeing to said report;

Which was decided in the affirmative.

Mr. Harrison called for the consideration of a bill from the House of Representatives,

To be entitled,

A act to amend the road laws of the county of Monroe;

Which was read the first time forthwith.

On motion of Mr. Harrison,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Harrison,

The rule was further suspended,

And the bill was read the third time, and passed:

Ordered, that the title thereof be as stated.

Mr. Singleton asked and obtained leave to the introduction of

A bill to be entitled,

An act to amend an act, approved 5th March, 1846, entitled an act to amend the several laws of the State in relation to courts of probate, and for other purposes;

Which was read the first time forthwith.

On motion of Mr. Singleton,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Singleton,

Said bill was referred to the committee on the judiciary.

Mr. Cannon asked and obtained leave for the introduction of

A bill to be entitled,

An act for the relief of James M. Wynn, sheriff and tax collector of Lowndes county;

Which was read the first time.

On motion of Mr. Cannon,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On motion of Mr. Gray,

Said bill was referred to a select committee of three.

Messrs. Cannon, Gray and Singleton, were appointed said committee.

Mr. Boone offered the following resolution, to-wit:

Resolved, (the House of Representatives concurring,) that all persons whose lands have been sold at tax sale and bought in by the State, may be permitted to redeem the same at any time until provision shall be made by law for the sale of such lands so bought in by the State;

Which was read the first time.

On motion of Mr. Boone,

The rule requiring joint resolutions to lie over one day, was suspended;

And the resolution was read the second time forthwith, and adopted.

Mr. Cannon asked and obtained leave to the introduction of

A bill to be entitled,

An act to incorporate the Lowndes Invincibles, a volunteer company, in the county of Lowndes;

Which was read the first time.

On motion of Mr. Singleton,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On motion of Mr. Gray,

Said bill was laid on the table.

Mr. Stone asked and obtained leave to the introduction of

A bill to be entitled,

An act to provide for the application of the common school fund that has and may hereafter accrue under an act approved 4th March, 1846, in the county of Marion, and for other purposes;

Which was read the first time.

On motion of Mr. Stone,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Stone,

Said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Labauve asked and obtained leave to the introduction of

A bill to be entitled,

An act to simplify the pleadings in suits of slander;

Which was read the first time.

Mr. McDugald called from the orders of the day,

A bill to be entitled,

An act to add certain counties therein named to the southern vice-chancery court district of the State of Mississippi;

Which was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Bradford asked and obtained leave to the introduction of

A bill to be entitled,

An act requiring the treasurer of Pontotoc county to loan the school fund of Pontotoc county;

Which was read the first time.

On motion of Mr. Bradford,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Bradford,

The bill was considered as engrossed,

The rule was further suspended,

And the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Greer asked and obtained leave to the introduction of

A bill to be entitled,

An act requiring sheriffs to execute conveyances in certain cases, and for other purposes;

Which was read the first time.

On motion of Mr. Greer,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Greer,

Said bill was referred to the committee on the judiciary.

Mr. Stone asked and obtained leave to the introduction of

A bill to be entitled,

An act to authorize Samuel Stamps, administrator de bonis non, to sell real estate;

Which was read the first time.

On motion of Mr. Stone,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Stone moved to consider the bill engrossed for a third reading forthwith;

Which was lost.

Mr. Singleton called for the consideration of a bill from the House of Representatives,

To be entitled,

An act supplementary to an act passed at the present session, entitled an act to amend an act entitled an act to incorporate the Canton and Jackson Rail Road Company, approved February 5th, 1841;

Which was read the first time forthwith.

On the further motion of Mr. Singleton,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title; and

On the further motion of Mr. Singleton,

The rule was further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Catching asked and obtained leave to the introduction of

A bill to be entitled,

An act to prescribe the mode of punishment for petit larceny;

Which was read the first time.

On motion of Mr. Catching,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Catching,

The bill was considered as engrossed, the rule further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Johnson, from the standing committee on public buildings, to whom had been referred,

A bill to be entitled,

An act for the repairing the State Capitol and Executive Mansion,

Reported said bill back with an amendment, and recommend its passage;

And said bill, as amended, was read.

On motion of Mr. Johnson,

The report was received and agreed to.

On the further motion of Mr. Johnson,

The bill, as amended, was considered as engrossed,

The rule further suspended,

And the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to authorize William B. Reed and Richard A. Howard to construct a turnpike road across the Noxubee swamp, near Macon;

An act to extend the corporate limits of the city of Jackson;

An act to incorporate the Holly Springs Rail Road Company.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have concurred in the amendments made by the Senate to a bill from the House, supplementary to an act, entitled

An act to establish an inferior court of chancery for the northern district of Mississippi.

The Speaker of the House of Representatives has signed,

An act to abolish the office of State Architect; and

An act to provide for the sale of the 500,000 acres of land donated to the State of Mississippi by the Congress of the United States, for purposes of internal improvement;

Which are herewith presented to the Senate for the signature of the President.

The President signed the bills in said message mentioned.

On motion of Mr. Briscoe,

The Senate took a recess until 3 o'clock, P. M.

THREE O'CLOCK P. M.

The recess having expired,

The Senate met.

Mr. Stewart called from the orders of the day,

A bill to be entitled,

An act to authorize the President and Directors of the West Feliciana Rail Road Company to close up the banking department of that institution, and for other purposes;

Which was read the third time forthwith.

Mr. Briscoe offered the following amendment, by way of ryder, to-wit:

Section —. *Be it further enacted*, that if any debtor of said bank shall, within six months from the passage of this act, sufficiently secure his or her debt, either by mortgage or personal security, such debtor shall be permitted to pay off such debt in four equal annual instalments with such rate of interest as the bank by its charter is authorized to receive;

Which was lost.

Mr. Briscoe called for the ayes and noes thereon, which are as follows to-wit:

AYES—Messrs. Boone, Briscoe, Carter, Catching, Dabney, Kennedy, Labauve, McAffee, Price, Pegues, Singleton, Sharpe, Stone and Wilborne—14 votes.

NOES—Mr. President, Messrs. Beene, Bradford, Cannon, Davis, Gray, Greer, Guion, Harrison, Hodges, Lake, McDugald, Pettus, Ramsay, Stewart and White—16 votes.

Mr. Briscoe offered the following amendment, by way of ryder, to-wit:

Section ---. *Be it further enacted*, that if any debtor of said bank shall, within six months from the passage of this act, sufficiently secure his or her debt, either by mortgage or personal security, such debtor shall be permitted to pay off such debt in five equal annual instalments, with such rate of interest as the bank, by its charter, is authorized to receive;

Which was lost.

Mr. Briscoe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Briscoe, Catching, Labauve, Price, Pegues, Singleton and Sharpe—7 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Cannon, Carter, Davis, Dabney, Gray, Greer, Guion, Harrison, Hodges, Kennedy, Lake, McDugald, McAffee, Pettus, Ramsay, Stewart, Stone, White and Wilborne—23 votes.

Mr. Briscoe moved to lay said bill on the table;

Which was lost;

And said bill was put on its final passage and passed:

Ordered, that the title thereof be as stated.

Mr. Briscoe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Bradford, Cannon, Davis, Dabney, Gray, Greer, Guion, Harrison, Hodges, Lake, McDugald, Pegues, Pettus, Ramsay, Stewart and White—17 votes.

NOES—Messrs. Boone, Beene, Briscoe, Carter, Catching, Johnson, Kennedy, Labauve, McAffee, Price, Singleton, Sharpe, Stone and Wilborne—14 votes.

The following message was received from his Excellency, the Governor, through his private Secretary, to-wit:

MR. PRESIDENT—I am instructed by the Governor to inform the Senate, that he has approved and signed the following bills, to-wit:

An act for the relief of L. D. Perry.

Approved February 17th, 1848.

An act to amend an act entitled an act to incorporate the town of Shieldsborough.

Approved February 19th, 1848.

An act to authorize William B. Reid and Richard A. Howard to construct a turnpike road across the Noxubee swamp, near Macon;

An act to extend the corporate limits of the city of Jackson.

Approved February 21st, 1848.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed,

A bill to be entitled,

An act to provide for the resumption of payment on the liabilities of the State on account of the Planters Bank;

In which I am instructed to desire the concurrence of the Senate;

And have passed a Senate bill to be entitled,

An act to provide for the leasing of the Chickasaw school lands.

MR. PRESIDENT—The House of Representatives have passed,

A bill to be entitled,

An act to extend the Rail Road eastwardly beyond Jackson;

And have made an amendment thereto;

In which I am instructed to desire the concurrence of the State.

The House have concurred in the Senate resolution in relation to lands sold at tax sale and bought in by the State;

And have made sundry amendments thereto;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have concurred in the amendments made by the Senate to a memorial of the House, to the Senate and House of Representatives of the United States in Congress assembled;

And have also concurred in the amendments made by the Senate to a bill from the House, entitled,

An act to reduce the ex-officio services of the clerks and sheriffs of the counties of Perry, Green, Jones, Rankin and Scott.

The House have passed bills from the Senate of the following titles:

A bill to be entitled,

An act for the relief of James Bond of the county of Choctaw, one of the securities of Richard S. Greaves, formerly Treasurer of the State;

A bill to be entitled,

An act to increase the pay of jurors in the counties of Lawrence and Marion;

A bill to be entitled,

An act to change the time of holding the Probate court of Jefferson county.

The Speaker of the House of Representatives has signed,

An act supplementary to an act to establish an Inferior Court of Chancery for the northern district of Mississippi;

Which is herewith presented to the Senate for the signature of the President.

The President signed the bill in said message mentioned.

Mr. Harrison moved to call from the orders of the day,

A bill to be entitled,

An act to remove the Vice Chancery Court from Fulton to Aberdeen, and for other purposes.

The question being had thereon,

It was lost.

Mr. Labauve asked and obtained leave to the introduction of

A bill to be entitled,

An act defining the duties of Judges upon applications upon writs of habeas corpus, continuances and changes of venue in criminal cases;

Which was read the first time.

On motion of Mr. Sharpe,

The Senate adjourned.

TUESDAY, FEBRUARY 22, 1848.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Singleton presented the petition of John T. Johnson;

Which was read.

On motion of Mr. Singleton,

Said petition together with the accompanying documents, were referred to the committee on propositions and grievances.

Mr. Cannon, from a select committee, to whom had been referred,

A bill to be entitled,

An act for the relief of James M. Wynn, sheriff and tax collector of Londes county;

Reported said bill back without amendment, and recommend its passage.

On motion of Mr. Cannon,

The report was received and agreed to;

And said bill put on its third reading forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Boone offered the following resolution, to-wit:

Resolved, that after Thursday next, no claim against the State to be referred to the committee on claims, shall be received by the Senate;

Which was read and adopted forthwith.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed bills from the Senate of the following titles:

A bill to be entitled,

An act to exempt from sale under execution, the libraries of Ministers of the Gospel;

A bill to be entitled,

An act to attach the county of Claiborne to the sourthern district chancery court of the State of Mississippi;

And have made amendments thereto.

In which I am instructed to desire the concurrence of the Senate.

Also Senate bills entitled an act to authorize Israel Dille, guardian of William H., Mary W., and Victoria D. Bowers, heirs of Wm. H. Bowers dec'd., to sell certain real estate of said heirs;

A bill to be entitled,

An act to incorporate the Noxubee and Bigbee Road Company.

The House of Representatives insist upon their second amendment made to a bill from the Senate, entitled

An act to define the duties of the board of county police of Tippah county, and for other purposes.

The Speaker of the House of Representative has signed an act to authorize Israel Dille, guardian of William H., Mary W., and Victoria D. Bowers, heirs of William H. Bowers dec'd., to sell certain real estate of said heirs, which is herewith presented to the Senate for the signature of the President.

The President signed the bill in said message mentioned.

Mr. Briscoe presented the petition of John Snodgrass,

Which was read; and

On motion of Mr. Briscoe,

Referred to the committee on the judiciary.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, viz:

An act to incorporate the town of Quitman, in the county of Clarke;

An act for the relief of James Bond of the county of Choctaw, one of the securities of Richard S. Graves, formerly treasurer of this State;

An act to define the boundary of Tunica county;

An act to establish a ferry across Yazoo river at the city of Yazoo, in Yazoo county;

An act to change the time of holding the probate court in the county of Jefferson;

An act to increase the pay of jurors in the counties of Lawrence and Marion;

An act to reduce the ex-officio services of the clerks and sheriffs of the county of Perry, Green, Jones, and Scott;

An act to amend the road laws of the county of Monroe;

A memorial of the Legislature of Mississippi, to the Senate and House of Representatives of the United States in Congress assembled;

An act supplementary to an act passed at the present session, entitled an act, to amend an act, entitled an act, to incorporate the Canton and Jackson Railroad Company, approved February 5th, 1841;

And have found the same correctly enrolled.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

MR. PRESIDENT—The committee on engrossed bills, have examined a bill of the following title, to-wit:

A bill to be entitled,

An act to provide for the application of the Common School fund that has and may hereafter accrue under an act, approved 4th March, 1846, in the county of Marion, and for other purposes.

And have found the same correctly engrossed.

Mr. Boone called from the orders of the day, the amendments made by the House of Representatives to a resolution from the Senate, in relation to lands sold at tax sale and bought in by the State.

On motion of Mr. Boone,

Said amendments were concurred in except the proviso which was disagreed to.

Mr. Briscoe presented the claim of E. Conklin,

And also, the claim of J. Callahan;

Which on his motion, were referred to the committee on claims.

Mr. Bradford presented the petition of sundry citizens of the county of Pontotoc;

Which was read; and

On his motion,

Referred to a select committee of three.

Messrs. Bradford, Price, and Boone, were appointed said committee.

Mr. Carter called for the consideration of the amendments made by the House,

To a bill from the Senate, to be entitled,

An act to extend the Railroad eastwardly beyond Jackson;

Which were read; and

On motion of Mr. Hodges,

Concurred in.

Mr. Hodges called from the table,

A bill to be entitled,

An act to establish a Lunatic Asylum for the State of Mississippi;

And forthwith said bill, together with the amendment made in committee of the whole was read.

On motion of Mr. Catching,

Said report was agreed to.

Mr. Hodges moved to strike out ten thousand dollars in said bill, and in lieu thereof insert twenty thousand;

Which was lost.

On motion of Mr. Sharpe,

Said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Pettus called from the orders of the day, a bill from the House of Representatives, to be entitled,

An act to provide for the resumption of payment on the liabilities of the State on account of the Planters Bank;

Which was read the first time forthwith.

Mr. Sharp moved to lay said bill on the table;

Which was lost.

Mr. Pettus moved to suspend the rule and read the bill the second time forthwith;

Which was lost.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The Speaker of the House of Representatives has signed,

An act to reduce the ex-officio services of the clerks and sheriffs of the county of Perry, Green, Jones, and Scott;

An act to amend the road laws of the county of Monroe;

A memorial of the Legislature of Mississippi, to the Senate and House of Representatives of the United States in Congress assembled;

An act supplementary to an act, passed at the present session, entitled an act, to amend an act, entitled an act, to incorporate the Canton and Jackson Railroad Company, approved February 5th, 1841;

An act to incorporate the town of Quitman, in the county of Clarke;

An act for the relief of James Bond, of the county of Choctaw, one of the securities of Richard S. Graves, formerly treasurer of this State;

An act to increase the pay of jurors in the counties of Lawrence and Marion;

An act to define the boundary of Tunica county;

An act to establish a ferry across Yazoo river at the city of Yazoo, in Yazoo county;

An act to change the time of holding the probate court in the county of Jefferson;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to amend an act, entitled an act, to amend an act, entitled an act, to reduce into one, the several acts concerning slaves, free negroes, and mulattoes, passed June 18th, 1822, approved 20th December, 1831;

A bill to be entitled,

An act to amend an act, entitled an act to establish a vice-chancery court in the northern district of the State of Mississippi; also to amend an act, entitled an act, to establish a vice-chancery court in the southern district of the State of Mississippi;

In which I am instructed to desire the concurrence of the Senate.

The President signed the bills in said message mentioned.

Mr. Bradford called from the orders of the day a bill from the House of Representatives, to be entitled,

An act for the further endowment of the University of Mississippi;

Which was read the first time forthwith.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

Mr. Gray moved to suspend the rule for a third reading of said bill forthwith;

Which was lost.

Mr. Labauve moved to lay said bill on the table;

Which was lost.

Mr. Greer called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Cannon, Catching, Davis, Dabney, Hodges, and Sharpe—6 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Gray, Greer, Guion, Harrison, Kennedy, Lake, Labauve, McAfee, Price, Pegues, Pettus, Ramsay, Singleton, Stewart, Stone, White, and Wilborne—22 votes.

On motion of Mr. Boone,

Said bill was made the special order of the day for to-morrow, 11 o'clock A. M., on its third reading.

Mr. Boone, from the joint standing committee on claims, to whom had been referred the claim of sundry Registers for registering the State land location, ask that the same may be referred to the select

committee to whom a like claim was referred, as they are advised the chairman of that committee has written in the land office, and will be the better qualified to investigate the claim.

On motion of Mr. Boone,

The report was received and agreed to.

Mr. Bradford asked and obtained leave to the introduction of a memorial to be entitled,

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States, in relation to stage routes;

Which was read the first time.

On motion of Mr. Bradford,

The constitutional rule was suspended,

And the memorial was read the second time forthwith, by title.

Mr. Price offered the following amendment, viz:

Before the words "therefore resolved," insert as follows: this memorial further represents that a mail route with four horse post coaches commencing at Kosciusko in Attala county, and passing through Greesboro, Choctaw; thence to Houston, Chickasaw county; thence to Pontotoc, Pontotoc county; thence to New Albany, Pontotoc county; thence to Ripley, Tippah county; thence to Burden, Hardeman county, Tennessee; thence to Bolivar, Hardeman county Tennessee; would make a route of mail coaches passing through the centre of the State of Mississippi more than one half of its length to the city of Jackson, and directly connecting with the great western route passing through Nashville Tennessee, and Lexington and Maysvile Kentucky; and also intersecting the great southern mail route from Charleston South Carolina, to Memphis Tennessee, at Ripley Mississippi. This memorial would state that this entire route after it leaves Greensboro in Choctaw county, is a ridge way and is the nearest and most direct route north to the western mail route to Washington City that could be established in this State, and would pass through seven of the most populous counties of the State of Mississippi;

Which was adopted.

On motion of Mr. Bradford,

The memorial as amended, was considered as engrossed, and the rule further suspended, and the memorial read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined a bill of the following title, to-wit:

An act to authorize Israel Dille, guardian of William H., Mary W. and Victoria D. Bowers, heirs of William H. Bowers, deceased, to sell certain real estate of said heirs;

And have found the same correctly enrolled.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor for his approval and signature, a bill of the following title, viz:

An act to authorize Israel Dille, guardian of William H., Mary W. and Victoria D. Bowers, heirs of William H. Bowers, deceased, to sell certain real estate of said heirs.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have passed a bill from the Senate entitled,

An act to amend the acts regulating the mode of proceeding against incorporated banks, for a violation of their corporate franchises, approved July 26th, 1843, and February 28th, 1846.

And have made an amendment thereto;

In which I am instructed to desire the concurrence of the Senate.

Mr. Lake presented the petition of sundry citizens of the city of Vicksburg, and accompanied said petition with

A bill to be entitled,

An act to incorporate the Vicksburg Savings Society;

Which was read the first time.

On motion of Mr. Lake,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On motion of Mr. Briscoe,

Said bill was laid on the table, and two hundred copies thereof ordered to be printed.

On motion of Mr. Boone,

The Senate adjourned.

WEDNESDAY, FEBRUARY, 23, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Labauve presented the petition of sundry citizens of De Soto county;

Which was read.

On motion of Mr. Labauve,

Said petition was referred to a select committee of three.

Messrs. Alcorn, White and Stone, were appointed said committee.

Mr. Singleton presented the petition of the stockholders of the Commercial and Rail Road Bank of Vicksburg; which,

On his motion,

Was referred to a select committee of three.

Messrs. Singleton, Lake and Briscoe, were appointed said committee.

Mr. Greer asked and obtained leave to the introduction of

A bill to be entitled,

An act to reduce the corporate limits of the town of Holly Springs;

Which was read the first time.

On motion of Mr. Greer,

The constitutional rule was suspended,

And the bill was read the second time forthwith.

On the further motion of Mr. Greer,

The bill was considered as engrossed, and the rule was further suspended, and the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The following messsage was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act for the relief of Charles Clark and others;

A bill to be entitled,

An act to exempt the city of Natchez from the operations of the law now in force relative to the inspection of flour and other provisions, and for other purposes;

A bill to be entitled,

An act to authorize the corporate authorities of North Mount Pleasant, to erect a prison or place of confinement;

A bill to be entitled,

An act to regulate suits in justices' courts in the counties of Scott, Rankin, Smith, Copiah, Yalobusha, Tippah, Washington, Coahoma, Attala and Tunica;

In which I am instructed to desire the concurrence of the Senate.

The House have passed bills from the Senate of the following titles:

A bill to be entitled,

An act to incorporate the town of Marion in Lauderdale county;

An act to incorporate the Grand Division of the Sons of Temperance of the State of Mississippi;

A bill to be entitled,

An act to require the trustees of the sixteenth sections in Clark county to make titles, &c.

Mr. Guion presented the claim of H. G. O. Parker; which,

On his motion,

Was referred to the committee on claims.

On motion of Mr. Boone,

Mr. Price, the honorable Senator from the county of Tippah, was added to a select committee raised to investigate the claim of sundry registers, at a previous day of this session.

Mr. Davis, from the committee on enrolled bills, made the following report, viz:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to establish a ferry across Yazoo River, at the City of Yazoo, in Yazoo county;

An act to increase the pay of jurors in the counties of Lawrence and Marion;

An act to define the boundary line of Tunica county;

An act for the relief of James Bond of the county of Choctaw, one of the securities of Richard S. Graves, formerly Treasurer of this State;

An act to provide for the sale of the five hundred thousand acres of land, donated to the State of Mississippi by the Congress of the United States, for purposes of internal improvement;

An act to abolish the office of State Architect;

An act to change the time of holding the Probate court in the county of Jefferson;

An act to incorporate the town of Quitman;

An act to amend the road laws of the county of Monroe;

An act to reduce the ex-officio services of the clerks and sheriffs of the counties of Perry, Green, Jones and Scott;

A momorial of the Legislature of Mississippi to the Senate and House of Representatives of the United States in Congress assembled;

An act supplementary to an act passed at the session, entitled an act to amend an act entitled an act to incorporate the Canton and Jackson Rail Road Company, approved February 5th, 1841.

Mr. Davis from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to extend the Rail Road eastwardly beyond Jackson;

An act to incorporate Noxubee and Bigbee Road Company;

An act to provide for the leasing of the Chickasaw school lands;

And have found the same correctly enrolled.

Mr. Singleton asked and obtained leave to the introduction of

A bill to be entitled,

An act to incorporate the town of Charleston, in Talahatchie county;

Which was read the first time.

On motion of Mr. Singleton,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Singleton,

The bill was considered as engrossed, and the rule further suspended, and the bill read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Beene, from the standing committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills, have examined a bill of the following title, to-wit:

A bill to be entitled,

An act to establish a Lunatic Asylum for the State of Mississippi;

And have found the same correctly engrossed.

Mr. Guion from the committee on the judiciary, to whom had been referred the petition of John Snodgrass, reported

A bill to be entitled,

An act to confer on John W. Snodgrass, minor, certain privileges;

And recommended its passage:

And said bill was read the first time.

On motion of Mr. Briscoe,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Briscoe,

The bill was considered as engrossed, and the rule was further suspended and the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The Senate proceeded to the consideration of the orders of the day:

A bill to be entitled,

An act for the further endowment of the University of Mississippi,

Was before the Senate on its second reading on yesterday.

Mr. Labauve offered the following amendment, to-wit:

Amend by striking out the preamble, and all after the word "cents," in the first section;

Which was adopted.

Mr. Cannon offered the following amendment:

Amend the second section—

"Provided the amount shall be drawn on the warrant of the Auditor only;"

Which was adopted.

Mr. Stone offered the following amendment, viz:

Amend by striking out third section;

Which was lost.

On motion of Mr. Labauve,

The amendments were considered as engrossed, and the rule fur-

ther suspended, and the bill as amended, read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Labauve asked and obtained leave to the introduction of

A bill to be entitled,

An act supplementary to an act entitled an act to incorporate the Holly Springs Rail Road;

Which was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On motion of Mr. Labauve,

Said bill was ordered to be engrossed for a third reading on to-morrow.

A bill to be entitled,

An act to incorporate the town of Oakland, in Yalobusha county,

Was read the first time.

A bill to be entitled,

An act to prohibit the sale of vinous and spirituous liquors in less quantities than five gallons, within five miles of the University of Mississippi,

Was read the first time.

Mr. Sharpe moved to lay said bill on the table;

Which was lost.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

Mr. Sharpe offered the following amendment, to-wit:

Amend by adding after the word "University," "or any religious church within this State;"

Which was lost.

Mr. Alcorn offered the following amendment, to-wit:

Section —. *Be it further enacted*, that the fourth section of an act entitled an act for the suppression of tippling houses, &c., approved February 9th, 1839, be so amended as to apply only to those who, as candidates, may treat to, or bestow spirituous or vinous liquors upon voters upon the day of the election, and shall not be applied to those candidates who may previous to the day of election, join a glass with their friends.

Mr. Guion offered the following as a substitute for said amendment:

Section —. *Be it further enacted*, that the fourth section of this act entitled an act for the suppression of tippling houses, and to discourage and prevent the odious vice of drunkenness, approved February 9th, 1839, be, and the same is hereby repealed;

Which was lost.

Mr. Greer called for the ayes and noes thereon, which are as follows, to-wit:

AYES— Messrs. Alcorn, Briscoe, Catching, Gray, Guion, Johnson, Kennedy, Lake, Price, Sharpe, Stewart, White and Wilborne—13 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Cannon, Carter, Dabney, Greer, Harrison, Labauve, McAffee, Pegues, Pettus, Ramsay, Singleton and Stone—17 votes.

The question was next had on the amendment of Mr. Alcorn;

Which was lost.

Mr. Alcorn called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Alcorn, Briscoe, Catching, Gray, Guion, Johnson, Kennedy, Lake, Price, Pegues, Stewart, Stone and Wilborne —13 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Cannon, Carter. Davis, Dabney, Greer, Harrison, Labauve, McAffee, Pettus, Ramsay, Singleton, Sharpe and White—17 votes.

Mr. Labauve moved to suspend the rule further, and read the bill the third time forthwith;

Which was lost.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

MR. PRESIDENT—I am instructed by his Excellency the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act to authorize Israel Dille, guardian of William H., Mary W., and Victoria D. Bowers, heirs of William H. Bowers, deceased, to sell certain real estate of said heirs, approved February 22d, 1848;

An act to establish a ferry across Yazoo river at the city of Yazoo, in Yazoo county;

An act to increase the pay of jurors in the counties of Lawrence and Marion;

An act to provide for the sale of the 500,000 acres of land donated to the State of Mississippi by the Congress of the United States, for purposes of internal improvement;

An act to incorporate the town of Quitman, in the county of Clarke;

An act to abolish the office of State Architect;

An act to change the time of holding the probate court in the county of Jefferson;

Approved February 23d, 1848.

Mr. Guion asked and obtained leave to the introduction of

A bill to be entitled,

An act to repeal the 4th section of an act entitled an act for the suppression of tippling houses, and to discourage and prevent the odious vice of drunkenness, approved February 9th, 1839, and for other purposes;

Which was read the first time.

On motion of Mr. Guion,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Singleton offered the following amendment, to-wit:

Strike out the words "on the days of election," and insert the following, "during the time he shall be known as such candidate;"

Which was lost.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Boone, Beene, Bradford, Cannon, Carter, Davis, Greer, Harrison, Hodges, Labauve, Pettus, Ramsay and Singleton—13 votes.

NOES—Mr. President, Messrs. Alcorn, Catching, Dabney, Gray, Guion, Johnson, Kennedy, Lake, McAffee, Price, Pegues, Sharpe, Stewart, Stone, White and Wilborne—17 votes.

Mr. Bradford offered the following amendment, to-wit:

Amend by striking out the word "twenty-five," and inserting the word "fifty;"

Which was lost.

Mr. Price offered the following amendment, to-wit:

"*Be it further enacted*, that if any person shall hereafter be con-

victed of selling vinous or spirituous liquors in quantities less than one gallon, contrary to the provision of law, he shall be fined by the court not less than the sum of twenty-five dollars, nor more than five hundred dollars, at the discretion of the court, and shall be imprisoned for a space of time not less than one week, or more than one month;"

Which was adopted.

Mr. Alcorn offered the following amendment, to-wit:

"And the imprisonment shall be at the discretion of the court;"

Which was lost.

Mr. Sharpe moved to consider the bill as engrossed, and suspend the rule for a third reading forthwith;

Which was lost.

Mr. Singleton moved the indefinite postponement of said bill;

Which was lost.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Bradford, Cannon, Greer, Harrison, Labauve, McAffee, Pettus, Ramsay and Singleton—9 votes.

NOES—Mr. President, Messrs. Alcorn, Boone, Beene, Briscoe, Carter, Catching, Dabney, Gray, Guion, Hodges, Johnson, Kennedy, Lake, McDugald, Price, Pegues, Sharpe, Stewart Stone, White and Wilborne—21 votes.

On motion of Mr. Guion,

Said bill, as amended, was ordered to be engrossed for a third reading on to-morrow.

The following message was received from the House of Representatives, through their clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed,

A resolution in relation to the land sold at tax sale and bought in by the State;

Which is herewith presented to the Senate for the signature of the President.

The President signed the resolution in said message mentioned.

The following message was received from the House of Representatives, through their Clerk, towit:

MR. PRESIDENT—The House of Representatives have passed a Senate bill entitled,

An act to provide for the election of the clerk of the superior court of chancery;

And have made an amendment thereto;

In which I am instructed to desire the concurrence of the Senate.

Also, bills from the Senate of the following titles:

A bill to be entitled,

An act to add certain counties therein named, to the southern vice-chancery district, &c.;

A bill to be entitled,

An act to provide for the licensing of billiard tables, approved February 23d, 1844;

A bill to be entitled,

An act to prescribe the mode of punishment for petit larceny;

A bill to be entitled,

An act to prohibit the burning of woods in certain counties therein named;

A bill to be entitled,

An act to extend the time to Andrew Kerr to complete the turnpike road in the county of Tunica, approved 21st February, 1840;

A resolution granting leave of absence to the Hon. Hugh R. Miller;

A bill to be entitled,

An act requiring the treasurer of Pontotoc county to loan the school fund of said county;

And have made an amendment thereto;

In which I am instructed to desire the concurrence of the Senate.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor, for his signature and approval, bills of the following titles, to-wit:

An act to incorporate Noxubee and Bigbee Road Company;

An act to provide for the leasing of the Chickasaw school lands;

An act to extend the rail road eastwardly beyond Jackson.

Mr. Hodges moved an adjournment;

Which was lost.

On motion of Mr. Briscoe,

The Senate took a recess until 3 o'clock, P. M.

THREE O'CLOCK, P. M.

Recess having expired,
The Senate met.
Mr. Lake asked and obtained leave to the introduction of
A bill to be entitled,
An act to change the name of Martha A. Knowland;
Which was read the first time.
On motion of Mr. Lake,
The constitutional rule was suspended,
And the bill was read the second time forthwith, by title
On the further motion of Mr. Lake,
The bill was considered as engrossed,
The rule further suspended,
And the bill read the third time forthwith, and passed:
Ordered, that the title thereof be as stated.
Mr. Labauve presented the claim of Wade H. Cobb;
Which was referred to the committee on claims.
A bill to be entitled,
An act to amend an act to secure to the owners of slaves executed by sentence of law, compensation for the same,
Was read the first time.
Mr. Guion presented the claim of John Haven; which,
On his motion,
Was referred to the committee on claims.
A bill to be entitled,
An act for the relief of Thomas Pleasants,
Was read the first time.
A bill to be entitled,
An act to provide for the authentication of deeds, bills of sale, powers of attorney, and relinquishments of dower, made and executed in any other State,
Was read the first time.
On motion of Mr. Labauve,
The constitutional rule was suspended,
And said bill was read the second time forthwith, by title.
Mr. Boone offered the following amendment, to-wit.
At the conclusion of the first section, insert:
"With the seal thereof thereto affixed;"

Which was adopted.

On motion of Mr. Bradford,

Said bill was referred to the committee on the judiciary.

A bill to be entitled,

An act for the better regulation of the State Library,

Was read the first time.

A bill to be entitled,

An act to amend an act entitled an act for the more healthy police of the city of Natchez, and to provide against infectious and pestilential diseases, passed February 10th, 1818,

Was read the first time.

On motion of Mr. Stewart,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Stewart,

The rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have receded from their amendment made to a resolution from the Senate in relation to lands sold at tax sales and bought in by the State, and have passed,

A bill to be entitled,

An act in relation to the redemption of lands purchased by the State for taxes;

And have also passed a Senate bill, entitled

An act to amend an act to incorporate the town of Hernando, in the county of Desoto, approved February 16th, A. D. 1842;

And have made an amendment thereto;

In both of which I am instructed to desire the concurrence of the Senate.

The House of Representatives have concurred in the amendments made by the Senate to a House bill entitled,

An act for the further endowment of the University of Mississippi.

On motion of Mr. Ramsay,

The Senate concurred in the amendments made by the House of Representatives to a bill from the Senate,

To be entitled,

An act to amend an act reducing the fees of certain officers therein named, approved 10th February, 1844, so far as the same relates to the counties of Harrison and Smith.

A bill from the House of Representatives,

To be entitled,

An act to provide for the resumption of payment on the liabilities of the State on account of the Planters Bank,

Was read the second time.

On motion of Mr. Briscoe,

Said bill was laid on the table.

Mr. Lake called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Boone, Beene, Bradford, Briscoe, Catching, Davis, Dabney, Kennedy, Labauve, McDugald, McAffee, Price, Ramsay, Singleton, Sharpe and Stone—16 votes.

NOES—Mr. President, Messrs. Alcorn, Cannon, Carter, Gray, Greer, Guion, Harrison, Johnson, Lake, Pegues, Pettus, Stewart and Wilborne—14 votes.

A bill to be entitled,

An act to provide for the payment of the Planters Bank bonds and coupons, issued by the State on account of the Planters Bank,

Was read the third time forthwith.

Mr. Boone offered the following amendment, by way of ryder:

Section —. *Be it further enacted*, that no coupon shall be paid that is severed from the bond, unless the same is signed or endorsed by some officer of the State authorized by law to sign or endorse the same;

Which was adopted.

Mr. Harrison offered the following amendment to the ryder:

Section —. *Be it further enacted*, that upon the presentation of said coupon or coupons to the Auditor of Public Accounts, he shall issue his warrant upon the Treasurer for that amount, and shall take in and write on the face of said coupon or coupons, "cancelled," and shall file the same away in his office.

Pending said amendment to the ryder,

On motion of Mr. Guion,

The vote adopting the roder, was reconsidered.

On motion of Mr. Gray,

The bill, the ryder, and the amendment thereto,

Was referred to a select committee of five.

Messrs. Gray, Stewart, Labauve, Boone and Cannon, were appointed said committee.

A bill to be entitled,

An act to amend an act entitled an act to establish a vice chancery court in the northern district of the State of Mississippi; also, to amend an act entitled an act to establish a vice chancery court in the southern district of the State of Mississippi,

Was read the first time.

Mr. Singleton called from the table,

A bill to be entitled,

An act for the relief of John Dear, sen'r., surviving executor of B. Haley, deceased;

Which was read the second time forthwith.

On motion of Mr. Singleton,

The bill was considered as engrossed, the rule suspended, and the bill read the third time forthwith, and passed;

Ordered, that the title thereof be as stated.

Mr. Guion asked and obtained leave to the introduction of

A bill to be entitled,

An act to amend the practice in the superior and district courts of chancery in this State;

Which was read the first time.

On motion of Mr. Guion,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Guion,

Said bill was referred to the committee on the judiciary.

Mr. Gray called from the orders of the day,

A bill to be entitled,

An act to regulate the publication of the laws of this State;

Which was read the second time forthwith.

Mr. Labauve moved to lay said bill on the table;

Which was lost.

On motion of Mr. Carter,

Said bill was indefinitely postponed.

Mr. Gray called for the ayes and noes thereon, which are as follow, to-wit:

Ayes—Mr. President, Messrs. Alcorn, Boone, Bradford, Briscoe, Carter, Davis, Dabney, Hodges, Kennedy, Labauve, McDugald, Price, Ramsay, Singleton, Sharpe, Stone and Wilborne—18 votes.

Noes—Messrs. Beene, Cannon, Catching, Gray, Greer, Guion, Harrison, Johnson, Lake, Pegues, Pettus and Stewart—12 votes.

Mr. Lake asked and obtained leave to the introduction of

A bill to be entitled,

An act relative to the trustees of the University of the State of Mississippi;

Which was read the first time.

On motion of Mr. Bradford,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Bradford,

The bill was considered as engrossed,

The rule further suspended,

And the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to amend an act entitled an act to amend an act entitled an act to reduce into one the several acts concerning slaves, free negroes, and mulattoes, passed June 18th, 1822, approved 20th December, 1831,

Was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

Said bill was referred to the committee on the judiciary.

Mr. Hodges moved an adjournment;

Which was lost.

Mr. Guion, from the judiciary committee, to whom had been referred,

A bill to be entitled,

An act to amend the practice in the superior and district courts of chancery in this State,

Reported said bill back without amendment, and recommend its passage.

On motion of Mr. Guion,

The report was received.

Mr. Alcorn offered the following amendment, to-wit:

"Section 1. *Be it further enacted by the Legislature of the State of Mississippi*, that where any injunction or injunctions has been or may be granted by the judges of the circuit courts or by the chancellor or vice chancellor, and the party or parties, or either of them, against whom it is obtained, believed that said injunction ought not to have been granted for want of equity on the face of the bill, they or either of them may obtain a certified copy of the bill, apply by petition to the high court of errors and appeals, if it be in session, and if said high court shall be of opinion that no injunction ought to have been granted, they shall certify the same to the court below in which the bill is filed, with directions that said injunction be dissolved."

"Section 4. *Be it further enacted*, that this act shall be in force from and after its passage."

On motion of Mr. Labauve,

Said amendment was rejected.

On motion of Mr. Guion,

The bill was considered as engrossed,

The rule further suspended and the bill read the time and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Briscoe,

The Senate bill with the House amendments of the following title, was laid on the table;

A bill to be entitled,

An act to amend the acts regulating the mode of proceeding against incorporated banks for a violation of their corporate franchises, approved July 26th, 1843, and February 28th, 1846.

Mr. Sharpe moved an adjournment,

Which was lost.

Mr. Davis from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor, for his signature and approval, a resolution of the following title, to-wit:

A resolution in relation to land sold at tax sale and bought in by the State.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The Speaker of the House of Representatives has signed,

An act to extend the Railroad eastwardly beyond Jackson;

An act to incorporate Noxubee and Bigbee Road Company;

An act to provide for the leasing of the Chickasaw School Lands;

Which are herwith presented to the Senate for the signature of the President.

The President signed the acts in said message mentioned.

Mr. Lake asked and obtained leave to the introduction of

A bill to be entitled,

An act to incorporate the Washington Fire Engine Company No. 4, of Vicksburg;

Which was read the first time.

Mr. Sharpe moved to lay said bill on the table;

Which was lost.

On motion of Mr. Lake,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Lake.

The bill was considered as engrossed, the rule further suspended and the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined a resolution of the following title, to-wit:

A resolution in relation to the land sold at tax sale and bought in by the State.

And have found the same correctly enrolled.

On motion of Mr. Guion,

The Senate adjourned.

THURSDAY, FEBRUARY 24, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Guion presented the claim of Walker and Powell; which,

On his motion,

was referred to the committee on claims.

Mr. Alcorn presented the claim of A. Shelby; which,

On his motion,

Was referred to the committee on claims.

Mr. Labauve asked and obtained leave to the introduction of

A bill to be entitled,

An act to incorporate the Hernando and Mississippi Rail Road Company;

Which was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Labauve,

The bill was considered as engrossed, and the rule was further suspended and the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed,

An act for the further endowment of the University of Mississippi;

An act to amend an act entitled an act for the more healthy police of the city of Natchez, and to provide against infectious and pestilential diseases, passed February 10th, 1818;

An act to prescribe the mode of punishment for petty larceny;

An act to extend the time to Andrew Kerr to complete the turnpike road in the county of Tunica, approved February 21st, 1840;

An act to amend an act to provide for the licensing billiard tables, approved February 23d, 1844;

An act to incorporate the Grand Division of the Sons of Temperance of the State of Mississippi;

A resolution granting leave of absence to the Hon. Hugh R. Miller;

An act to legalize the sale and purchase of the south-west quarter section 16, and the south-east quarter of section 16, all in township number 2 of range 14 east, lying and being in the county of Clark, and State of Mississippi, sold December 23d, 1837, to Little Berry Lott and Moses Sumrall, jur., severally;

An act to incorporate the town of Marion in Lauderdale county;

An act to amend an act reducing the fees of certain officers therein named, approved 10th February 1844, so far as the same relates to the counties of Harrison, Washington and Tunica;

An act to add certain counties therein named to the Southern Vice Chancery District, &c.;

An act to prohibit the burning of woods in certain counties therein named;

The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to repeal in part, an act to provide for funding the Treasury warrants of the State of Mississippi, prior to the 1st January, 1841, approved February 6th, 1841;

A bill supplemental to an act entitled an act to amend and reduce into one, the several acts in relation to the revenue of this State, and for other purposes;

A bill to be entitled,

An act to revive an act entitled an act to incorporate the town of Macon in the county of Noxubee, approved February 22d, 1842;

A bill to be entitled,

An act to amend an act entitled an act to incorporate the trustees of the Louisville academy, and for other purposes, approved 9th May, 1837;

A bill to be entitled,

An act to incorporate the town of Snowsville, in Choctaw county;

A bill to be entitled,

An act to change the name of Tishemingo county;

A bill to be entitled,

An act for the benefit of the Salem Male and Female Academies;

In which I am instructed to desire the concurrence of the Senate.

The House have passed a bill from the Senate enitled,

An act to enable the tax collectors more efficiently to collect the revenue of this State;

Also a memorial of the Legislature of the State of Mississippi to the Congress of the United States in relation to stage routes;

A bill to be entitled,

An act relative to the trustees of the University of Mississippi;

The President signed the acts in said message mentioned.

Mr. Price asked and obtained leave to the introduction of

A bill to be entitled,

An act to provide for equalizing State laws;

Which was read the first time.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, viz:

An act to prescribe the mode of punishment for petty larceny;

An act to extend the time to Andrew Kerr to complete the turnpike road in the county of Tunica, approved 21st February, 1840;

An act to amend an act to provide for the licensing billiard tables, approved February 23d, 1844;

An act to incorporate the Grand Division of the Sons of Temperance of the State of Mississippi;

A resolution granting leave of absence to the Hon. Hugh R. Miller;

An act to legalize the sale and purchase of the south-west quarter of section 16, and the south-east quarter of section 16, all in township number 2, of range No. 14 east, lying and being in the county of Clark, and State of Mississippi, sold December 23d, 1837, to Little Berry Lott and Moses Sumrall, severally;

An act to amend an act reducing the fees of certain officers therein named, approved 10th February, 1844, so far as the same relates to the counties of Harrison, Washington and Tunica;

An act to incorporate the town of Marion, in Lauderdale county;

An act to add certain counties therein named, to the Southern Vice Chancery District, &c.;

An act to prohibit the burning of woods in certain counties therein named;

An act to amend an act entitled an act for the more healthy police of the city of Natchez, and to provide against infectious and pestilential diseases, passed February 10th, 1818;

An act for the further endowment of the University of Mississippi;

And have found the same correctly enrolled.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

Mr. President—The committee on engrossed bills, have examined bills of the following titles, to-wit:

A bill to be entitled,

An act supplementary to an act entitled an act to incorporate the Holly Springs Rail Road;

A bill to be entitled,

An act to repeal the 4th section of an act entitled an act for the suppression of tippling houses, and to discourage and prevent the odious vice of drunkenness, approved February 9th, 1839, and for other purposes;

And have found the same correctly engrossed.

Mr. Gray from a select committee, to whom had been referred,

A bill to be entitled,

An act to provide for the payment of the Planters Bank bonds and coupons, issued by the State on account of the Planters Bank, with certain amendments thereto,

Reported the same back without alteration, and recommended the same to the favorable consideration of the Senate.

Mr. Price offered the following as a substitute for said amendments, viz:

Be it further enacted, that no coupon shall be paid un'ess the same is presented attached to the bond and cut from the bond by the State Treasurer;

Which was adopted.

Mr. Carter offered the following amendment, to-wit:

Be it further enacted, that the section of this act, shall also apply to the reception of coupons in payment for the five hundred thousand acres of land, donated to this State for purposes of internal improvement; which was adopted.

On motion of Mr. Labauve,

Said bill was ordered to be engrossed for its third reading on to-morrow.

Mr. Alcorn asked and obtained leave to the introduction of

A bill to be entitled,

An act to authorize Robert Robson and Edwin E. Armstrong of Talahatchie county, to construct a turnpike road in said county;

Which was read the first time.

On motion of Mr. Alcorn,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Alcorn,

The bill was considered as engrossed, and the rule was further suspended, and the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Bradford from a select committee, to whom was referred the petition of sundry citizens of Pontotoc county, praying an act of incorporation for the town of New Albany, reported that it is inexpedient at this time, to grant the prayer of the petitioners.

On motion of Mr. Bradford,

The report was received and agreed to.

Mr. Harrison asked and obtained leave to the introduction of

A bill to be entitled,

An act for the relief of the sheriff or tax collector of Monroe county;

Which was read the first time.

On motion of Mr. Harrison,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Harrison,

The bill was considered as engrossed, the rule further suspended, and the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Pettus from a select committee, to whom had been referred a resolution in relation to weights and measures to be established in each county, reported

A bill to be entitled,

An act to establish an uniform standard of weight sand measures in this State;

Which was read the first time.

On motion of Mr. Pettus,

The report was received and agreed to.

On the further motion of Mr. Pettus,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. White offered the following amendment, to-wit:

Provided, that this act shall not extend to the steelyards, scales weights and measures used by planters and farmers on their plantations and farms, for plantation purposes;

Which was lost.

On motion of Mr. Pettus,

The bill was considered as engrossed, the rule further suspended, and the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. White moved to call from the table the Senate bill with the House amendments, entitled,

An act to amend the acts regulating the mode of proceeding against incorporated banks for a violation of their corporate franchises, approved July 26th, 1843, and February 28th, 1846;

Which motion prevailed.

Mr. Briscoe called for the ayes and noes thereon, which are as follows to-wit:

AYES—Mr. President, Messrs. Alcorn, Cannon, Catching, Dabney, Gray, Greer, Guion, Harrison, Kennedy, Lake, Pegues, Pettus, Ramsay, Singleton, Stewart and White—17 votes.

NOES—Messrs. Boone, Beene, Briscoe, Carter, Davis, Hodges, Johnson, Labauve, McDugald, McAffee, Sharpe, Stone and Wilborne—13 votes.

On motion of Mr. White,

The Senate disagreed to the amendments made by the House to said bill.

The following message was received from his Excellency, the Governor, through his private Secretary, to-wit:

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to inform the Senate, that he has approved and signed the following bills, to-wit:

An act to provide for the leasing of the Chickasaw school lands;

An act to incorporate Noxubee and Bigbee Road Company;

A resolution in relation to land sold at tax sale and bought in by the State,

Approved February 23d, 1848.

An act to extend the Rail Road eastwardly beyond Jackson,

Approved February 24th, 1848.

Mr. Lake, on his motion,

Was excused from serving on the select committee raised on yesterday, on the petition of the stockholders of the Commercial and Rail Road Bank of Vicksburg.

Mr. Briscoe, on his motion,

Was excused from the like service on the same committee.

Messrs. Pettus and McDugald were appointed to fill said vacancies.

Mr. Pettus asked and obtained leave to the introduction of a resolution granting leave of absence from this State, to Hon. A. B. Dawson;

Which was read the first time.

On motion of Mr. Pettus,

The constitutional rule was suspended,

And the resolution was read the second time forthwith, by title.

On the further motion of Mr. Boone,

The resolution was considered as engrossed, the rule further suspended, and the resolution read the third time forthwith and adopted:

Ordered, that the title thereof be as stated.

Mr. Stone offered the following resolution, to-wit:

Resolved by the Senate, (the House of Representatives concurring), that a joint select committee consisting of three on the part of the Senate, and five on the part of the House, be appointed, and report by bill or otherwise, the best mode and manner of examining the books of the Auditor of Public Accounts from the year 1838, and the books of the Treasurer from the year 1843, up to the first day of January, 1848;

Which was read the first time.

Mr. Boone offered the following amendment, to-wit:

After Auditor of Public Accounts, insert "and Executive office."

Strike out "1838," where it occurs, and insert "1836;"

Which was adopted.

On the further motion of Mr. Stone,

The rule which requires joint resolutions to lie over one day, was suspended,

And the resolution as amended, was read the second time forthwith and adopted.

Messrs. Stone, Boone and Stewart, were appointed said committee.

Mr. Lake called from the table,

A bill to be entitled,

An act to incorporate the Vicksburg Savings Society;

Which was read the second time forthwith.

Mr. Briscoe offered the following amendment, to-wit:

"Sec. — *Be it further enacted*, that a tax of one fourth of one per cent. be assessed and collected as a State tax on every hundred dollars of capital stock subscribed, together with a proportionate tax for county purposes, and that each stock holder shall be liable in his individual capacity for the whole amount of deposites and other debts of the company."

Mr. Lake moved to amend the amendment as follows:

Strike out all after the words "for county purposes;"

Which was lost.

The question was next had on the amendment of Mr. Briscoe, which prevailed.

Mr. Lake moved to consider the bill as engrossed and suspend the rule for a third reading forthwith;

Which was lost.

On motion of Mr. Dabney,

The bill and the amendment were indefinitely postponed.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Messrs. Boone, Beene, Briscoe, Catching, Davis, Dabney, Gray, Johnson, Kennedy, Labauve, McDugald, McAfee, Pegues, Ramsay Singleton, and Sharpe—16 votes.

Noes—Mr. President, Messrs. Alcorn, Bradford, Cannon, Guion, Harrison, Hodges, Lake, Price, Pettus, Stewart, Stone, White, and Wilborne—14 votes.

Mr. Alcorn, from a select committee to whom had been referred the petition of numerous citizens of De Soto county, praying the passage of a law releasing the estate of James M. Matlock, from a liability incured upon the recognizance of Benjamin Beene reported

A bill to be entitled,

An act for the relief of the widow and heirs of James Matlock of De Soto county;

Which was read the first time.

On motion of Mr. Alcorn,

The report was received.

On the further motion of Mr. Alcorn,

The rule was suspended and the bill was read the second time forthwith by title.

On the further motion of Mr. Alcorn,

The bill was considered as engrossed, the rule further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Singleton asked and obtained leave to the introduction of

A preamble and resolutions instructing our Senators and requesting our Representatives in Congress, to urge upon Congress the passage of a law authorizing the appropriation of the two per cent. fund to the Railroad east;

Which was read the first time.

On motion of Mr. Singleton,

The rule was suspended,

And the preamble and resolutions read the second time forthwith and adopted:

Ordered, that the title thereof be as stated.

Mr. Gray called for the consideration of the amendment made by the House of Representatives, to a resolution of the Senate, fixing on Saturday the 26th inst., for the adjournment *sine die*, of the Legislature.

On motion of Mr. Hodges,

The amendment of the House was concurred in.

Mr. Wilborne called from the orders of the day,

A bill to be entitled,

An act to establish a Lunatic Asylum for the State of Mississippi;

Which was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Hodges called from the orders of the day,

A bill to be entitled,

An act to prevent accidents and injury in the sale and use of secret medicines:

Which was read the second time.

On motion of Mr. Bradford,

The blank in said bill was filled with the first day of December, 1848.

Mr. Hodges moved to engross said bill for a third reading on to-morrow;

Which was lost.

Mr. Sharpe moved to reconsider the vote last taken;

Which prevailed.

On motion of Mr. Hodges,

Said bill was ordered to be engrossed for a third reading on to-morrow.

Mr. Labauve called from the orders of the day,

The amendment made by the House of Representatives to a bill from the Senate, to be entitled,

An act to incorporate the town of Hernando, in the county of De Soto, approved February 16th, A. D. 1842;

Which was read; and

On motion of Mr. Labauve,

Concurred in.

Mr. Dabney called from the orders of the day,

The amendment made by the House of Representative to a bill from the Senate, to be entitled,

An act to provide for the election of the clerk of the superior court of chancery;

Which was read,

On motion of Mr. Labauve,

A call of the Senate was had,

The absentee appearing, the further call was suspended.

Mr. Gray moved to lay said amendment on the table;

Which was lost.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Alcorn, Beene, Davis, Gray, Guion, Harrison, Johnson, Lake, Pegues, Stewart, and White—11 votes.

NOES—Mr. President, Messrs. Boone, Bradford, Briscoe, Cannon, Carter, Catching, Dabney, Hodges, Kennedy, Labauve, McDugald, McAfee, Price, Pettus, Ramsay, Singleton, Sharpe Stone, and Wilborne—20 votes.

On motion,

The Senate refused to disagree to said amendment.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Messrs. Alcorn, Beene, Gray, Guion, Harrison, Johnson, Lake, Pegues, Stewart, and White—10 votes.

Noes—Mr. President, Messrs. Boone, Bradford, Briscoe, Cannon, Carter, Catching, Dabney, Hodges, Kennedy, Labauve, McDugald, McAffee, Price, Pettus, Ramsay, Singleton, Sharpe, Stone, and Wilborne—20 votes.

The following messsage was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to revive and amend an act to incorporate the town of Chulahoma, in the county of Marshall, approved 11th February, 1846;

A bill to be entitled,

An act for the relief of E. McNabb;

A bill to be entitled,

An act to facilitate the collection of the revenue of the city of Vicksburg;

A bill to be entitled,

An act for the preserving and repairing levees in the county of Washington;

A bill to be entitled,

An act for the benefit of the tax collector of Washington county;

A bill to be entitled,

An act to incorporate Robert Nelson Lodge No. 18, of the I. O. O. F., Fort Adams, Wilkinson county Miss.;

A bill to be entitled,

An act for the punishment of disturbers of public meetings;

A bill to be entitled,

An act in relation to the school fund of township 12, range 2 east, in Yazoo county;

A bill to be entitled,

An act to change the name of Green Hamilton Alford;

A bill to be entitled,

An act to declare Roebuck Lake or Old river a navigable stream;

A bill to be entitled,

An act to repeal an act entitled an act, to prohibit the police court of Sunflower county, from levying a special tax except in certain cases therein provided;

A bill to be entitled,

An act to authorize Daniel B. Nailor, his heirs and assigns to build a turnpike road across the Big Black swamp in Warren county, &c.;

A bill to be entitled,

An act to incorporate Evergreen Lodge No. 77, of Free and Accepted Masons, in the town of Decatur;

A bill to be entitled,

An act to repeal an act entitled an act, to authorize the board of police to locate the seat of justice in Bolivar county, &c.;

A bill to be entitled,

An act granting John V. Newman of Bolivar county, ferry privileges across the Mississippi river;

A bill to be entitled,

An act for the relief of certain citizens of the county of Jones;

A bill to be entitled,

An act to reduce the salary of the tax assessor of Jackson county;

A bill to be entitled,

An act to restore to the town of Woodville, certain privileges granted in the act of incorporation, and for other purposes;

A bill to be entitled,

An act to remove the civil disabilities of F. A. Funchess, minor of Hinds county;

A bill to be entitled,

An act to incorporate Euphema Chapter of Royal Arch Masons in the town of Aberdeen, Monroe county;

A bill to be entitled,

An act for the relief of Jefferson J. Hughes;

A bill to be entitled,

An act for the relief of the Tillatoba Slack Water Navigation Company;

A bill to be entitled,

An act supplemental to an act, to authorize Peter B. Starke, his heirs and assigns, to erect a toll bridge, &c.;

In which I am instructed to desire the concurrence of the Senate.

Mr. President—The House have passed bills of the following titles, to-wit, originating in the Senate:

A bill to be entitled,

An act authorizing Benjamin F. and Johnathan Morris of Panola county, to construct a Railroad in said county;

A bill to be entitled,

An act to reduce the per diem allowance of the probate judge of Lauderdale county;

A bill to be entitled,

An act to amend an act, to incorporate the Greensboro Academy, and for other purposes;

A bill to be entitled,

An act to change and reduce the corporate limits of the town of Grand Gulf, in the county of Claiborne, as prescribed in an act, entitled an act to incorporate the town of Grand Gulf, approved the 25th day of December, 1833;

A bill supplementary to an act, entitled an act, to establish a system of common schools, and for other purposes, approved March 4th, 1846.

Mr. Pettus moved a recess until 3 o'clock, P. M.;

Which was lost.

On motion of Mr. Dabney,

The Senate adjourned.

FRIDAY, February 25, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr Lake, from the committee on the judiciary, made the following report, to-wit:

Mr. President—The standing committee on the judiciary, to whom was referred the bill to be entitled,

An act for the relief of Wiley C. Edwards;

Have had the same under consideration, and have instructed me to report that, in their judgment, the bill ought not to become a law.

It appears from the petition of the said Edwards, that his haste in obtaining a divorce grows out of his apprehension that he may die before the expiration of the limitation, and his wife become entitled to dower. The committee think that to grant his prayer, and enable him to obtain a divorce immediately, would not necessarily attain his object. She may even after a divorce *a vinculo matrimonii*, be entitled to dower. Inasmuch then, as a divorce may not accomplish the petitioner's purpose, and as the committee are of opinion that quite as much facility is afforded by the general law on this subject, as is consistent with public policy, they think the bill ought not to pass.

On motion of Mr. Labauve,

The report was received and agreed to.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act for the relief of Silas L. Steen;

A bill to be entitled,

An act to incorporate the Columbus Female Institute, in the town of Columbus, in the county of Lowndes;

A bill to be entitled,

An act to provide further time for holding the circuit court of Noxubee county, at the next June term of said court;

A bill to be entitled,

An act to extend the time of holding the probate court of Attala county;

A bill to be entitled,

An act to change the time of holding the probate court of Yallobusha county;

A bill to be entitled,

An act to reduce the per diem allowance of the members of the boards of police in the counties of Harrison and Hancock, and for other purposes;

A bill to be entitled,

An act to regulate the time of holding the probate court in Simpson county;

A bill to be entitled,

An act to incorporate the Pleasant Hill Male and Female Academy, in the county of Jasper;

A bill to be entitled,

An act to incorporate the Enterprize Academy, in the county of Clarke;

A bill to be entitled,

An act to incorporate the Seyton Turnpike Company;

A bill to be entitled,

An act for the relief of Thomas Kirkman, executor of the estate of Thomas Jackson;

A bill to be entitled,

An act to incorporate the Salem High School Association, in the county of Greene;

A bill to be entitled,

An act to reduce the per diem allowance of the board of police of Jackson county;

A bill to be entitled,

An act to repeal an act entitled an act to authorize the county police of Tunica county, to levy a special tax;

A memorial and resolutions to the Congress of the United States, relative to the establishment of a mail route;

A bill to be entitled,

An act to revive an act incorporating the town of Brandon, approved May 12, 1837, and for other purposes;

A bill to be entitled,

An act declaring Little Sunflower river and other streams, navigable;

A bill to be entitled,

An act to change the time of holding the probate court in the counties of Greene and Wayne;

A bill to be entitled,

An act to reduce the per centage of the county treasurer of Harrison county, so far as relates to the common school fund;

A bill to be entitled,

An act to appropriate to purposes of common schools, the amount of moneys collected from retailers of vinous and spirituous liquors in the town of Carrollton;

A resolution requiring the Secretary of State to furnish certain books to certain officers therein named;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed bills from the Senate of the following titles:

A bill to be entitled,

An act to incorporate the Raymond Female Institute;

A bill to be entitled,

An act for the benefit of the Aberdeen Eemale Academy;

A bill to be entitled,

An act to legalize the sale of the 16th section, in township six, range sixteen east, in the county of Lauderdale;

A bill to be entitled,

An act to amend an act entitled an act to authorize the Mayor and Aldermen of the city of Jackson, to erect a bridge across Pearl river;

A bill to be entitled,

An act for the relief of Thomas B. Godbold;

A bill to be entitled,

An act to repeal an act entitled an act to incorporate the town of Greensboro, and to repeal all other acts incorporating the same, approved 18th February, 1846, and for other purposes;

A bill to be entitled,

An act for the relief of James M. Wynne, sheriff and tax collector of Lowndes county;

A bill to be entitled,

An act to incorporate the town of Charleston, in Tallahatchie county;

A bill to be entitled,

An act to confer on John W. Snodgrass, a minor, certain privileges;

A bill to be entitled,

An act to reduce the corporate limits of the town of Holly Springs;

A bill to be entitled,

An act to incorporate the Washington Fire Engine Company No. 4, of Vicksburg;

A bill to be entitled,

An act to change the name of Martha A. Knowland;

A bill to be entitled,

An act for the relief of John Doer, sen'r., surviving executor of B. Haley, deceased;

A bill to be entitled,

An act to incorporate the Hernando and Mississippi Rail Road Company;

A bill to be entitled,

An act to authorize Robert Robinson and S. Armstrong of Tallahatchie county, to construct a turnpike road in said county;

A preamble and resolutions instructing our Senators and requesting our Representatives in Congress to urge upon Congress the passage of a law authorizing the appropriation of the two per cent. fund to the rail road east;

A bill to be entitled,

An act for the relief of the widow and heirs of James W. Matlock, of Desoto county;

A resolution granting leave of absence from this State to Honl. A. B. Dawson;

A bill to be entitled,

An act for the relief of the sheriff or tax collector of Monroe county;

A bill to be entitled,

An act to authorize the President and Directors of the West Feliciana Rail Road Company, to close up the banking department of that institution, and for other purposes;

And have made an amendment thereto;

In which I am instructed to desire the concurrence of the Senate.

The House have concurred in the resolution of the Senate raising a joint select committee of three on the part of the Senate, and five on the part of the House, to report by bill or otherwise, the best mode and manner of examining the books of the Auditor, Treasurer, and Executive offices;

And have appointed as said committee, on the part of the House,

Messrs. Ford, Fortson, Alderson, West of Holmes, and Foote of Noxubee.

Mr. Price, from the committee on the judiciary, made the following report, to-wit:

Mr. President—The judiciary committee to whom were referred a bill entitled,

An act to amend an act entitled an act to amend the several laws of this State in relation to the courts of probate,

Have had the same under consideration, and have instructed me to report the bill back to the Senate, and recommend that it do not pass.

The committee are of opinion that the law of 1846, proposed to be amended, can only be construed so as to give courts of probate the power to enforce their decrees and only operate upon parties who stand out in contempt of such decree, and that the law as it now exists, sufficiently protects the right of the citizen against any oppression, or any undue exercise of power, should a court wish to act out of the limits of its powers.

On motion of Mr. Price,

The report was received and agreed to.

Mr. Guion presented the petition of Henry Mattauer.

Mr. Sharpe moved to lay said petition on the table;

Which was lost.

On motion of Mr. Guion,

Said petition was referred to the committee on the judiciary.

Mr. Guion, from the judiciary committee, to whom had been referred,

A bill to be entitled,

An act farther to amend the several laws of the State, in relation to courts of probate,

Reported said bill back with sundry amendments;

Which were read.

On motion of Mr. Guion,

The report was received.

Mr. Guion, from the committee on the judiciary, to whom had been referred,

A bill to be entitled,

An act to provide for the authentication of deeds, bills of sale, powers of attorney, made and executed in any other State,

Reported, that the passage of said bill is unnecessary, ample provision having been made already on the subject.

On motion of Mr. Guion,

The report was received and agreed to.

Mr. Guion, from the committee on the judiciary, made the following report, to-wit:

Mr. President—The committee on the judiciary, to whom was referred,

A bill to be entitled,

An act to amend an act entitled an act to reduce into one the several acts concerning slaves, free negroes, and mulattoes, passed June 18th, 1822, approved 20th December. 1831,

Have had the same under consideration, and have instructed me to report that, in their opinion, the passage of said bill is unnecessary, the remedies intended by said bill being already better provided for by law.

On motion of Mr. Guion,

The report was received and agreed to.

Mr. Guion, from the judiciary committee, to whom had been referred a communication of the Auditor of Public Accounts, in regard to certain State warrants issued in favor of George Holly,

Reported, that in their opinion, no legislation is necessary or proper on the subject. The warrants in the hands of James Hill, Esq., sheriff of the county of Choctaw, if not assigned by said Holly, are still his property, and may be recovered by an action of trover.

On motion of Mr. Guion,

The report was received and agreed to.

Mr. Guion, from the committee on the judiciary, made the following report, to-wit:

Mr. President—The committee on the judiciary, to whom was referred,

A bill to be entitled,

An act to authorize the Governor to commute punishment in certain cases,

Have had the same under consideration, and have instructed me to report that, in their opinion, said bill invests the Executive with too large a discretionary power in cases of convictions for capital offences. Convictions of crimes capitally punished by our laws, rarely if ever fall upon the *innocent*, and your committee believe it would be better policy to abolish capital punishment altogether, than to invest the executive with the power, after conviction, of commuting the punishment. They therefore, think the bill ought not to be passed.

On motion of Mr. Guion,

The report was received.

Mr. Guion, from the judiciary committee, to whom had been referred,

A bill to be entitled,

An act requiring sheriffs to execute conveyances in certain cases, and for other purposes,

Reported, that the legal enactments now in force on the subject, are in their opinion, preferable to the provisions of the bill under consideration. They therefore recommend that it be not passed.

On motion of Mr. Guion,

The report was received and agreed to.

Mr. Guion, from a select committee, to whom had been referred the memorial of the State Monumental Committee, reported

A bill to be entitled,

An act to make an appropriation in aid of the erection of a monument to the memory of the Mississippi volunteers, who fell in the war with Mexico;

Which was read the first time.

On motion of Mr. Guion,

The report was received.

Mr. Dabney asked and obtained leave to the introduction of

A bill to be entitled,

An act to reduce the taxes of this State;

Which was read the first time.

Mr. Labauve moved to suspend the rule, and read the bill the second time forthwith;

Which was lost.

Mr. Cannon, from the joint standing committee on accounts, made the following report, to-wit:

Mr. President—The joint standing committee on accounts having made as thorough an examination of the books and vouchers of the various departments of the State, which were submitted to them, as time and circumstances would allow, beg leave to report, that the vouchers in Auditor Matthews' office were found substantially to agree with the corresponding entries in his books; various errors of inconsiderable amounts were discovered, which were easily rectified. Other mistakes involving considerable amounts will be hereinafter stated, to-wit: Some inaccuracies have been discovered in the books, by sundry credits to the sinking fund which should have been placed to the credit of the Seminary Fund, and vice versa, all of which have been corrected. In the disbursement book, an entry to Price & Fall, for printing, was

found a mistake of $2000, the register and journal being correct. Also an entry on the register to the Seminary Fund, $5000 instead of $15,000 was discovered, making a difference of $10,000, which on the journal and disbursement books, were found to be correct. On the 1st September, 1847, the penitentiary was debited with $1,223 37 instead of $1,623 37, and the treasury credited with said amount of $1,223 37 when it should have been $1,623 37. An error was found to exist in Auditor Matthews' books, both as to the receipts and expenditures for the year 1847, as follows: His report exhibits the expenditures or issues of warrants on the treasury, from the 1st day of January 1847, to the 23d of November following to be $141,326 33, while the ledger shows it to have been only $140,984 94, difference of $341 39. By the same report the total receipts into the treasury from all sources during the same time, is set down at $486,970 06, while the ledger exhibits the amount to be $487,918 45—difference between report and ledger $948 39. On examination, it was found that $150 had been paid for three months extra clerk hire in the Auditor's office, in each of the years 1846 and 1847, which, on inquiry, was assumed to be in accordance with an act passed in 1844, authorising the Auditor and Treasurer to employ a clerk for three months in each and every year, until there shall be money in the treasury to meet the current demands of the State government. On examination of the books of the Treasurer it is ascertained that there was money in the treasury during the years 1846 and 1847, consequently your committee cannot place the construction on the above recited act, that has been done by the Auditor, and consider the employment of said clerk, in contravention of law, to the amount of $300. I am instructed to state that your committee did not find the condition of the books, and general arrangement of the papers in the Auditor's office to exhibit that strict accuracy and neatness which is at all times desirable; but candor compels us to remark that much of the responsibility rests upon former legislation. The duties of that officer are both arduous and complicated, his assistance insufficient, and as was fully shown by the report of the committee on accounts at the last session of the Legislature, the business of the office is much confused and retarded, for the want of a *counter*, which would greatly facili-

tate settlements, and protect books and papers from disturbance by the continual throng of persons who have business there; and therefore we beg leave again to solicit your prompt action on the subject.

Much difficulty is found to exist in understanding the precise state of the three per cent fund. By reference to the old books of Auditors Saunders and Mallory, the total amount standing to the credit of that fund is $408,928 34, while the debits seem to be $301,690 36, leaving a balance of $107 237 98 to the credit of said fund. What disposition has been made of that balance we had no means of determining, as on examination, but very few reports or returns from the various counties could be found. It has been intimated that said balance might have been deposited in the Planters' Bank, and if so, now stands to the credit of the three per cent fund on the books of that bank, but which fact can never be ascertained without an examination of said books. In a former report made by a portion of your present committee, it was recommended that a law should be enacted requiring the Auditor to procure and keep a book in which he shall enter the name of each county and individual having dealings with said office, with the usuall debit and credits on corresponding opposite pages, thereby greatly simplifying, and showing at a glance the precise state of each account. It will be seen that the late executive has made the same recommendation in his message, and it is again presented to your favorable consideration, believing as your committee does, that it is bad economy to continue the present state of things, for the want of the amount necessary to make those changes which are deemed salutary, by throwing the proper guards around your treasury. The Auditor's books show the amount to the credit of the Seminary Fund on the 1st day of January 1848, to be $46,531 41; and the amount to the Sinking Fund on the 1st day of January last to be $111,838 94.

The books of Auditor Swann were examined up to the 1st day of January, and are found to be correct.

The books and vouchers in Treasurer Clark's office are found to be correct, with the exception, that in one instance a small amount was placed to the credit of the Sinking Fund, which belonged to the Seminary Fund, and $1004 which was placed both

to the debit and credit of the Planters' Bank Bond fund, when it should have been to the Sinking Fund. Your committee beg leave to reiterate the remarks in regard to the amount of $300 paid for clerk's hire during the years 1846 and 1847, in the Treasurer's office, which were set forth above, in reference to the Auditor's office.

The mode of placing the debits and credits on different pages, and balancing the books once a month as is the case in the Treasurer's office are salutary improvements.

Your committee conceive the same necessities for the erection of a counter across the Treasurer's office exist that have been presented in reference to the Auditor's.

The amount found to be in the treasury on account of the 2 and 3 per cent fund is $213,020 77.

Cash in the treasury on the 7th day of February instant was found to be $87,587 65.

The following funds still remain in the treasury as unavailable:

Certificate of stock in Mississippi R R Company,		$2,000,000 00
Attorney General Collins' receipt for certificate of deposite in the Brandon Bank,		229,584 00
Attorney General Collins' receipt for notes of Madison county Bank,		470 00
Attorney General Collins' receipt for notes of Benton and Manchester Bank,		170 00
Attorney General Collins' receipt for notes of Lake Washington and Deer Creek Bank,		250 00
Attorney General Collins' receipt for notes of Grenada Bank,		7,628 00
Natchez R R Bank paper,		62,970 00
Mississippi Union Bank paper,		100 00
Hernando Bank paper,		20 00
Real Estate Bank of Columbus,		5 00
Mississippi and Alabama Bank,		50 00
R. L. Dixon and W. H. Young's note of hand due the 21st day of November, 1841, for	$568 33	
Credit on same 30th August, 1842,	70 50	
		497 83

Old State Warrants claimed by T. P. Ware for one Hammond, - - - - -	1,503 30
Total, - - - - -	$2,303,248 13

The books of the Treasurer show that the outstanding Auditor's warrants, bearing an interest of 5 per cent per annum, are as follows, to-wit:

Amount due and to fall due during the year				1848	$39,389 54
"	"	"	"	1849	5,416 51
"	"	"	"	1850	3,894 03
"	"	"	"	1851	413 00
"	"	"	"	1852	158 00
			Total,		$43,125 61

It has been found that generally the interest is paid on the "Scrip Certificates" annually, and the presumption is that there is not more than one years interest on any part of said amount, and it appears from the books that no warrants have been funded since the 28th February, 1846.

The books and vouchers of Treasurer Griffith have also been examined and are found to be correct.

Your committee likewise made a partial examination of the executive contingent fund, which, so far as the vouchers were found, corresponded with the entries in said books except in two or three instances of very small amounts, but not being able to find all the vouchers, as thorough and satisfactory an examination as is desirable, could not be made, there being no one known to the committee from whom to obtain information.

All of which is respectfully submitted,

On motion of Mr. Cannon,

The report was received.

On motion of Mr. Labauve,

Said report was laid on the table;

And two thousand copies ordered to be printed.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed,

An act relative to the trustees of the University of the State of Mississippi;

An act to reduce the per diem allowance of the probate judge of Lauderdale county;

An act to change and reduce the corporate limits of the town of Grand Gulf, in the county of Claiborne, &c.;

An act authorizing Bejamin F. and Johnathan Morris of Panola county, to construct a Railroad in said county;

An act supplementary to an act, entitled an act, to establish a system of common schools, and for other purposes, approved March 4th, 1846;

An act to enable the tax collectors more efficiently to collect the revenue of this State;

An act to repeal an act, entitled an act, to amend an act, to incorporate the town of Hernando, in the county of De Soto, approved February 16th, A. D. 1842, and for other purposes;

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States, in relation to mail routs;

Which are herewith presented to the Senate for the signature of the President.

Mr. Cannon asked and obtained leave to the introduction of

A bill to be entitled,

An act to authorize certain alterations in the offices of the Auditor and Treasurer;

Which was read the first time.

On motion of Mr. Cannon,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr, Cannon,

Said bill was laid on the table.

Mr. Gray asked and obtained leave to the introduction of

A bill to be entitled,

An act to change the time of holding the circuit courts for the counties of Leake and Attala;

Which was read the first time.

On motion of Mr. Gray,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title

On the further motion of Mr. Gray,

The bill was considered as engrossed,

The rule further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Alcorn presented the petition of the officers of the probate court of Coahoma county;

Which was read; and

On motion of Mr. Alcorn,

Said petition was referred to a select committee of three.

Messrs. Alcorn, Labauve, and Price were appointed said committee.

Mr. Guion, from a select committee to whom was referred the petition of John A. Cotton; reported

A bill to be entitled,

An act for the relief of John A. Cotton;

Which was read the first time.

On motion of Mr. Guion,

The report was received.

On motion of Mr. Guion,

The constitutional rule was suspended,

And the bill was read the second time forthwith.

On the further motion of Mr. Guion,

The bill was considered as engrossed, and the rule was further suspended, and the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Boone called from the orders of the day,

A bill to be entitled,

An act in relation to the redemption of lands purchased by the State for taxes;

Which was read the first time.

On motion of Mr. Boone,

The constitutional rule was suspended,

And the bill was read the second time forthwith.

On the further motion of Mr. Boone,

The rule was further suspended, and the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Wilborné, from a select committee to whom was referred the memorial of William Hundley and others; reported

A bill to be entitled,

An act to provide compensation for persons employed in the registration of the 500,000 acres of land,

And recommend the same to the consideration of the Senate;

Which was read the first time.

On motion of Mr. Wilborne,

The report was received.

The following message was received from his Excellency, the Governor, through his private Secretary, to-wit:

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act to incorporate the Grand Division of the Sons of Temperance of the State of Mississippi;

An act to extend the time to Andrew Kerr to complete the turnpike road in the county of Tunica, approved 21st February, 1840;

An act to amend an act reducing the fees of certain officers therein named, approved 10th February, 1848, so far as the same relates to the counties of Harrison, Washington and Tunica;

An act to legalize the sale and purchase of the south-west quarter section 16, and the south-east quarter of section 16, all in township number 2 of range 14 east, lying and being in the county of Clark, and State of Mississippi, sold December 23d, 1837, to Little Berry Lott and Moses Sumrall, jur., severally;

An act to incorporate the town of Marion in Lauderdale county;

An act to prohibit the burning of woods in certain counties therein named;

An act to prescribe the mode of punishment for petit larceny;

A resolution granting leave of absence to the Hon. Hugh R. Miller;

Approved February 24th, 1848.

An act to amend an act to provide for the licensing billiard tables, approved February 23d, 1844;

Approved February 25th, 1848.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

MR. PRESIDENT—The committee on engrossed bills have examined bills of the following titles, to-wit:

A bill to be entitled,

An act to provide for the payment of the Planters Bank bonds

and coupons, issued by the State on account of the Planters Bank;

A bill to be entitled,

An act to prevent accidents and injuries from the sale and use of secret medicines;

And have found the same correctly engrossed.

The Senate proceeded to the consideration of the orders of the day.

Mr. Stone called from the orders of the day,

A bill to be entitled,

An act to provide for the application of the common school fund of Marion county;

Which was read the third time and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate the town of Oakland in Yalobusha county;

Was read the second time.

On motion of Mr. Labauve,

The constutional rule was suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to prohibit the sale of vinous and spirituous liquors in less quantities than five gallons, within five miles of the University of Mississippi;

Was read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Boone, Bradford, Briscoe, Cannon, Carter, Davis, Dabney, Gray, Greer, Harrison, Hodges, Johnson, Kennedy, Lake, Labauve, McDugald, McAffee, Pegues, Pettus, Ramsay, Singleton, Stewart, Stone and White—26 votes.

NOES—Messrs. Beene, Price, Sharpe and Wilborne—4 votes.

Mr. Boone moved a reconsideration of the vote by which

A bill to be entitled,

An act to incorporate the Vicksburg Savings Society, was indefinitely postponed.

On motion of Mr. Labauve,

A call of the Senate was had.

The absentees appearing,

The further call was suspended.

The question being had on said motion,

It was lost.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Boone, Carter, Guion, Hodges, Lake, Price, Pettus, Stewart and White—11 votes.

NOES—Messrs. Beene, Bradford, Briscoe, Cannon, Catching, Davis, Dabney, Gray, Greer, Harrison, Johnson, Kennedy, Labauve, McDugald, McAffee, Pegues, Ramsay, Singleton, Sharpe, Stone and Wilborne—21 votes.

Mr. Dabney from the judiciary committee, made the following report, to-wit:

MR. PRESIDENT—The standing committee on the judiciary, to whom was referred,

A bill entitled,

An act to secure the collection of the jury tax, and to protect the officers of courts,

Have had the same under consideration, and have instructed me to report the same back with the following amendments thereto:

Strike out first, second, third and fourth sections.

The committee are of opinion, that the objects intended to be remedied by the sections of the bill above mentioned, are amply provided for by the existing laws of the State; that in all cases brought by non-residents, or corporations located in other States, either the officers of court or defendants to the suits may require security from the plaintiff for the payment of the costs.—The committee would recommend the passage of the fifth section of the above act, believing it would be of more advantage to the legal profession than any other class of the community; that it is rarely their rights are considered by legislative bodies; and as said section is intended alone for their benefit, the committee hope it will receive the favorable action of the Senate. The committee know that the legal profession is so much given to "compassion and humanity," that they seldom, if ever, withhold from their clients the small favor of becoming their security for costs when requested; a custom which has heretofore proven to be prejudicial to the best interests of the profession.

On motion of Mr. Dabney,

The report was received.

Mr. Briscoe moved to disagree to said report;

Which was lost.

Mr. Labauve moved to consider the bill as engrossed, and suspend the rule for a third reading forthwith;

Which was lost.

A bill to be entitled,

An act to incorporate Robert Nelson Lodge No. 18, I. O. O. F.;

Was read the first time.

On motion of Mr. Labauve,

Said bill was laid on the table.

A bill to be entitled,

An act to amend an act to secure to the owners of slaves executed by sentence of law, compensation for the same,

Was read the second time.

Mr. Boone moved to suspend the rule for a third reading forthwith;

Which was lost.

A bill to be entitled,

An act for the relief of Thomas Pleasants,

Was read the second time.

Mr. Carter moved to lay said bill on the table;

Which was lost.

On motion of Mr. Kennedy,

The constitutional rule was suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the better regulation of the State Library,

Was read the second time.

Mr. Guion moved to strike out the fifth section;

Which was lost.

Mr. Stone moved to strike out "duplicate," in the same section, and insert "several;"

Which was adopted.

Mr. Price offered the following amendment, to-wit:

Strike out in the first section, "one-fifth," and insert "one-half;"

Which was lost.

Mr. Price moved to lay the bill and the amendment on the table;

Which was lost.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Alcorn, Boone, Dabney, Gray, Guion, McDugald, Price, Ramsay Singleton, Stewart, Stone and White—13 votes.

Noes—Messrs. Beene, Bradford, Briscoe, Cannon, Carter, Davis, Greer, Harrison, Hodges, Johnson, Kennedy, Labauve, Pegues, Pettus, Sharpe and Wilborne—16 votes.

Mr. Boone offered the following amendment, to-wit:

Section —. *And be it further enacted*, that whenever any person receiving a single volume of any work, shall fail to return it, he shall be accountable for the value of the whole work;

Which was adopted.

On motion of Mr. Hodges,

The amendments were ordered to be engrossed for a third reading with the bill, on to-morrow.

A bill to be entitled,

An act to amend an act entitled an act to establish a Vice Chancery Court in the northern district of the State of Mississippi;

Also to amend an act entitled an act to establish a Vice Chancery Court in the southern district of the State of Mississippi,

Was read the second time; and,

On motion of Mr. Guion,

Indefinitely postponed.

On motion of Mr. Price,

The Senate receeded from their disagreement to the House amendment to a Senate bill to be entitled,

An act to define the duties of the board of police of Tippah county, and for other purposes.

On motion of Mr. Briscoe,

The Senate concurred in the House amendments to the Senate bill to be entitled,

An act to attach the county of Claiborne to the southern district Chancery Court of the State of Mississippi.

On motion of Mr. Ramsay,

The Senate concurred in the House amendments to a Senate bill to be entitled,

An act to exempt from sale and execution, the libraries of Ministers of the Gospel.

On motion of Mr. Bradford,

The Senate concurred in the House amendments to a Senate bill requiring the Treasurer of Pontotoc county to loan the school fund of said county.

A bill to be entitled,

An act for the relief of Charles Clarke and others,

Was read the first time.

On motion of Mr. Briscoe,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Briscoe,

The rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Davis from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

A resolution granting leave of absence to the Hon. Hugh R. Miller;

An act to incorporate the town of Marion, in Lauderdale county;

An act to amend an act reducing the fees of certain officers therein named, approved 10th February, 1844, so far as the same relates to the counties of Harrison, Washington, and Tunica;

An act to extend the time to Andrew Kerr to complete the turnpike road in the county of Tunica, approved 21st February, 1840;

An act to amend an act to provide for the licensing of billiard tables, approved February 23d, 1844;

An act to add certain counties therein named, to the southern vice-chancery district, &c.;

An act to incorporate the Grand Division of the Sons of Temperance of the State of Mississippi;

An act to prescribe the mode of punishment for petit larceny;

An act to prohibit the burning of woods in certain counties therein named;

An act to legalize the sale and purchase of the south-west quar-

ter of section 16, and the south-east quarter of section 16, all in township No. 2, of range No. 14, east, lying and being in the county of Clarke, and State of Mississippi, sold December 23d, 1837, to Littleberry Lot and Moses Sumrall, jr., severally.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, viz:

An act to reduce the per diem allowance of the probate judge in Lauderdale county;

An act to change and reduce the corporate limits of the town of Grand Gulf, in the county of Claiborne, as prescribed in an act entitled an act to incorporate the town of Grand Gulf, approved the 25th day of December, 1833;

An act to enable the tax collectors more efficiently to collect the revenue of this State;

An act supplementary to an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846;

An act authorizing Benjamin F. and Jonathan Morris, of Panola county, to construct a rail road in said county;

An act relative to trustees of the University of the State of Mississippi;

An act to repeal an act entitled an act to amend an act to incorporate the town of Hernando, in the county of Desoto, approved February 16th, 1842, and for other purposes;

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States, in relation to stage roads;

And have found the same correctly enrolled.

A bill to be entitled,

An act to authorize the corporate authorities of North Mount Pleasant to erect a prison or place of confinement,

Was read the first time.

A bill to be entitled,

An act to exempt the city of Natchez from the operations of the law now in force relative to the inspection of flour and other provisions, and for other purposes,

Was read the first time.

A bill to be entitled,

An act to regulate suits in justice courts, in certain counties therein named,

Was read the first time.

A bill supplemental to an act entitled,

An act to amend and reduce into one the several acts in relation to the revenue of this State, and for other purposes,

Was read the first time.

On motion of Mr. Gray,

Said bill was laid on the table.

A bill to be entitled,

An act to repeal in part an act to provide for funding the treasury warrants of the State of Mississippi, prior to the 1st January, 1841, approved February 6th, 1841,

Was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Labauve,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for preserving and repairing levees, in the county of Washington,

Was read the first time.

On motion of Mr. White,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. White,

The rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to revive and amend an act to incorporate the town of Chulahoma, in the county of Marshall, approved 11th February, 1846,

Was read the first time.

On motion of Mr. Greer,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Greer,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to revive an act entitled an act to incorporate the town of Macon, in the county of Noxubee, approved February 24th, 1842,

Was read the first time.

On motion of Mr. Dabney,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Dabney,

The rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Kennedy moved for a recess until three o'clock, P. M.,

Which was lost.

A bill to be entitled,

An act to amend an act entitled an act to incorporate the trustees of the Louisville Academy, and for other purposes, approved 9th May, 1837,

Was read the first time.

On motion of Mr. Dabney,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Dabney,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate the town of Snowville, in Choctaw county,

Was read the first time.

On motion of Mr. Johnson,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Johnson,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to change the name of Tippenniga county,

Was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Labauve offered the following amendment to said bill:

Strike out "Quitman," wherever it occurs in said bill, and in lieu thereof, insert "Boone;"

Which was adopted.

On motion of Mr. Labauve,

The amendment was considered as engrossed,

The rule further suspended,

And the bill read the third time forthwith, and passed.

Ordered, that the title thereof be as stated.

Mr. Labauve moved to reconsider the vote by which said bill was passed;

Which was lost.

A bill to be entitled,

An act for the benefit of the Salem Male and Female Academies,

Was read the first time.

A bill to be entitled,

An act for the benefit of the tax collector of Washington county,

Was read the first time,

On motion of Mr. White,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. White,

The rule was further suspended,

And the bill was read the third time forthwith, and passed.

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to facilitate the collection of the revenue of the city of Vicksburg,

Was read the first time.

On motion of Mr. Lake,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Lake,
The rule was further suspended,
And the bill was read the third time forthwith, and passed:
Ordered, that the title thereof be as stated.
A bill to be entitled,
An act for the relief of Ezekiel McNabb,
Was read the first time.
On motion of Mr. Sharpe,
The constitutional rule was suspended,
And the bill was read the second time forthwith, by title.
On the further motion of Mr. Sharpe,
The rule was further suspended,
And the bill was read the third time forthwith and passed:
Ordered, that the title thereof be as stated.
A bill to be entitled,
An act to change the name of Green Hamilton Alford,
Was read the first time.
On motion of Mr. Sharpe,
Said bill was laid on the table.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor for his approval and signature, bills of the following titles, to-wit:

An act authorizing Benjamin F. and Johnathan Morris of Panola county, to construct a Railroad in said county;

An act supplementary to an act, entitled an act, to establish a system of common schools, and for other purposes, approved March 4th, 1846;

An act to change and reduce the corporate limits of the town of Grand Gulf, in the county of Claiborne, as prescribed in an act, entitled an act to incorporate the town of Grand Gulf, approved the 25th day of December, 1833;

An act to reduce the per diem allowance of the probate judge of Lauderdale county;

An act to repeal an act entitled an act to amend an act to incorporate the town of Hernando, in the county of Desoto, approved February 16th, 1842, and for other purposes;

An act to enable the tax collectors more efficiently to collect the revenue of this State;

An act relative to the trustees of the University of the State of Mississippi;

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States, in relation to stage routes;

An act for the further endowment of the University of Mississippi;

An act to amend an act entitled an act for the more healthy police of the city of Natchez, and to provide against infectious and pestilential diseases, passed February 10th, 1818.

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to change the name of Martha A. Knowland;

An act to amend an act entitled an act to authorize the Mayor and Aldermen of the city of Jackson, to erect a bridge across Pearl river;

An act to provide for the election of the clerk of the superior court of chancery;

An act to incorporate the Washington Fire Engine Company No. 4, of Vicksburg;

An act in relation to the redemption of lands purchased by the State for taxes;

An act for the relief of Thomas B. Godbold;

An act to repeal an act entitled an act to incorporate the town of Greensboro, and to repeal all other acts incorporating the same, approved 18th February, 1846;

A preamble and resolution instructing our Senators and requesting our Representatives in Congress, to urge upon Congress the passage of a law authorizing the appropriation of the two per cent. fund to the rail road east;

An act to reduce the corporate limits of the town of Holly Springs;

A resolution granting leave of absence from this State to the Hon. A. B. Dawson;

And have found the same correctly enrolled.

A bill to be entitled,

An act to declare Roebuck Lake a navigable stream,

Was read the first time.

On motion of Mr. Sharpe,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Sharpe,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the punishment of disturbers of public worship,

Was read the first time.

On motion of Mr. Sharpe,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Sharpe,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Greer moved a recess until 3 o'clock, P. M.;

Which prevailed.

THREE O'CLOCK, P. M.

The recess having expired,

The Senate met.

A bill to be entitled,

An act to authorize Dennis B. Nailor, his heirs and assigns, to build a turnpike road across the Big Black swamp in Warren county, &c.,

Was read the first time.

On motion of Mr. Briscoe,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Boone,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act in relation to the school fund of township 12 range 2 east, in Yazoo county,

Was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title,

On the further motion of Mr. Labauve,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to repeal an act to prohibit the police court of Sunflower county from levying a special tax, except in certain cases therein named,

Was read the first time.

On motion of Mr. Ramsay,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Guion called for the consideration of a bill on the orders of the day, entitled

An act to prevent the sacrifice of property sold under execution, and for other purposes;

Which was read the second time forthwith.

On motion of Mr. Sharpe,

Said bill was laid on the table.

Mr. Alcorn called from the table,

A bill to be entitled,

An act for the relief of Jane Herrod, and the heirs of Charles B. Herrod;

Which was read the second time forthwith,

On motion of Mr. Boone,

Said bill was laid on the table.

A bill to be entitled,

An act to incorporate Evergreen Lodge No. 77, in the town of Decatur,

Was read the first time.

On motion of Mr. Labauve,

Said bill was laid on the table.

A bill to be entitled,

An act to repeal an act entitled an act to authorize the board of police to locate the seat of justice in Bolivar county, &c.,

Was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act granting John V. Newman of Bolivar county, ferry privileges across the Mississippi river,

Was read the first time.

On motion of Mr. Alcorn,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Alcorn,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of certain citizens of the county of Jones,

Was read the first time.

On motion of Mr. McAffee,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. McAffee,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed,

An act to change the name of Martha A. Knowland;

An act to provide for the election of the clerk of the superior court of chancery;

An act to amend an act entitled an act to authorize the Mayor and Aldermen of the city of Jackson, to erect a bridge across Pearl river;

An act to incorporate the Washington Fire Engine Company No. 4, of Vicksburg;

An act in relation to the redemption of lands purchased by the State at tax sales;

A resolution granting leave of absence from this State, to the Hon. A. B. Dawson;

A preamble and resolutions instructing our Senators and requesting our Representatives in Congress, to urge upon Congress the passage of a law authorizing the appropriation of the two per cent. fund to the rail road east;

An act to repeal an act entitled an act to incorporate the town of Greensboro, and repeal all other acts incorporating the same, approved 18th February, 1846;

An act for the relief of Thomas Blewit Godbold;

An act to reduce the corporate limits of the town of Holly Springs;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed:

A resolution granting leave of absence to Judges W. L. Sharkey and A. M. Clayton;

Also, a resolution requiring the boards of county police to fix the county levies;

In which they desire the concurrence of the Senate.

A bill to be entitled,

An act to reduce the salary of the tax assessor in the county of Jackson,

Was read the first time.

On motion of Mr. Ramsay,

The constutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Ramsay,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to restore to the town of Woodville certain privileges granted in the act of incorporation, and for other purposes,

Was read the first time.

On motion of Mr. Stewart,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Stewart,

Said bill was laid on the table.

A bill to be entitled,

An act to remove the civil disabilities of Felix G. Funchess, a minor, of Hinds county,

Was read the first time.

On motion of Mr. Guion,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Guion,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to incorporate Uphemia Chapter of Royal Arch Masons, in the town of Aberdeen, in the county of Monroe,

Was read the first time.

On motion of Mr. Sharpe,

Said bill was laid on the table.

A bill to be entitled,

An act for the relief of Tillatoba Slackwater Navigation Company,

Was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

The rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the relief of Jefferson J. Hughs,

Was read the first time.

Mr. Lake moved to suspend the rule, and read the bill a second time forthwith;

Which was lost.

A bill to be entitled,

An act supplemental to an act to authorize Peter B. Starke, his heirs and assigns, to erect a tole bridge, &c.,

Was read the first time.

On motion of Mr. Cannon,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

Mr. Sharpe moved to lay said bill on the table;

Which was lost.

On motion of Mr Cannon,

The rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Briscoe,

Ordered unanimously, that the enrolled bill of the Senate, entitled,

An act for the relief James Bond, one of the securities of Richard S. Graves, formerly Treasurer of this State,

Be corrected as follows:

Strike out from the word "section," in the 14th line, to the word "shall," in the 16th line.

A bill to be entitled,

An act to amend the practice of the several courts of this State,

Was read the third time and paseed:

Ordered, that the title thereof be as stated.

Mr. Price asked and obtained leave to the introduction of

A bill to be entitled,

An act to authorize the Governor of this State to purchase certain maps therein named;

Which was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On motion of Mr. Singleton,

Said bill was laid on the table.

A bill to be entitled,

An act further to prohibit the selling or giving to slaves spirituous or intoxicating liquors,

Was read the second time forthwith.

On motion of Mr. Labauve,

Said bill was laid on the table.

A bill to be entitled,

An act to prevent accidents and injuries from the sale and use of secret medicines,

Was read the third time.

Mr. Labauve moved to lay said bill on the table;

Which was lost.

And said bill was put on its final passage and passed:

Ordered, that the title thereof be as stated.

Mr. Sharpe called for the ayes and noes on the passage of said bill, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Beene, Bradford, Cannon, Carter, Catching, Dabney, Gray, Guion, Harrison, Hodges, McDugald, Ramsay, Sharpe, Stewart, Stone, and Wilborne—18 votes.

NOES—Messrs. Boone, Briscoe, Greer, Lake, Labauve, McAffee, Price, Pettus and Singleton—9 votes.

Mr. Hodges, on his motion,

Had leave to withdaw the claims of J. D. W. Duckworth and William M. Parrott.

A bill of the Senate to be entitled,

An act to repeal an act entitled an act to provide for funding the treasury warrants of the State of Mississippi, issued prior to the 1st day of January, 1841, approved February 6th, 1841,

Was read the second time.

On motion of Mr. Labave,

Said bill was laid on the table.

A bill to be entitled,

An act to repeal an act to regulate the practice of the Circuit courts of this State, approved 3d March, 1846,

Was read the second time.

Mr. Labauve moved the engrossment of said bill for a third reading on to-morrow;

Which was lost.

Mr. Boone asked and obtained leave to the introduction of

A bill to be entitled,

An act to authorize the mayor and aldermen of the various incorporated towns in this State, to pass ordinances preventin g th

keeping or establishing ten-pin allies on any block adjoining a public square in any town or village now incorporated;

Which was read the first time.

On motion of Mr. McDugald,

Said bill was laid on the table.

A bill to be entitled,

An act to exempt certain property therein named from execution and sale,

Was read the third time.

Mr. Labauve offered the following amendment, by way of ryder, to-wit:

Section —. *Be it further enacted*, that printing presses and their apparatuses shall be exempt from execution;

Which was adopted.

Mr. Alcorn offered the following amendment to the ryder:

Be it further enacted, that every granny in the State shall be entitled to one horse, saddle, bridle and saddle bags exempt from execution, distress and sale, provided the same shall not exceed the value of one hundred dollars;

Which was adopted.

Mr. Boone offered the following amendment to the ryder:

Be it further enacted, that the provisions of this act be extended to sheriffs, ministers of the gospel and constables.

Mr. Gray offered the following amendment to the last named amendment:

Add after "constables," "and candidates."

Pending the discussion on said amendments,

Mr. Briscoe moved an adjournment,

Which was lost.

On motion of Mr. Cannon,

The bill and amendments were laid on the table.

Mr. Guion presented the petition of J. Unger; which,

On his motion,

Was referred to the committee on propositions and grievances.

On motion of Mr. Stewart,

The Senate adjourned.

SATURDAY, FEBRUARY 26, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Alcorn, from a select committee to whom had been referred the petition of the officers of the probate court of Coahoma county; reported

A bill to be entitled,

An act to amend an act, to change the time of holding the probate court of Coahoma county, approved 22nd January, 1848;

And recommend its passage;

Which was read the first time.

On motion of Mr. Alcorn,

The report was received.

On motion of Mr. Alcorn,

The constitutional rule was suspended,

And the bill was read the second time forthwith.

On the further motion of Mr. Alcorn,

The bill was considered as engrossed,

And the rule further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Singleton, from a select committee to whom had been referred the memorial of the president, directors and stockholders of the Commercial and Railroad Bank of Vicksburg; reported

A bill to be entitled,

An act in relation to the Commercial and Railroad Bank of Vicksburg, and recommend its passage;

Which was read the first time.

On motion of Mr. Singleton,

The report was received.

Mr. Singleton moved to agree to said report.

Which was lost.

Mr. Sharpe, on his motion, was excused from voting on the motion to agree to said report.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed,

A bill to be entitled,

An act to provide for the sale of the lands heretofore purchased by the State for taxes;

In which I am instructed to desire the concurrence of the Senate.

Mr. Singleton, from the joint standing committee on elections, made the following report, to-wit:

Mr. President—The standing committee on elections have had the same under consideration, and have instructed me to report that they are satisfied from the credentials handed in by Senators, that all the members of this body have been duly elected according to the forms of the Constitution and Laws of this State. I am instructed to report further that the term of service of the following Senators will expire at the next general election, they having filled out the Constitutional term of four years, viz.

Messrs. Lipscomb, Boone, Dabney, Johnson, Labauve, Price, Pegues, and Wilborne.

The term of service of the following Senators will expire at the same time, they having been elected (in the opinion of the committee) to fill vacancies occasioned by resignation, &c., viz: Messrs. Greer, Harrison, Hodges, Lake, Sharpe, and White.

The other Senators, viz: Messrs. Alcorn, Beene Bradford, Briscoe, Cannon, Carter, Catching, Davis, Gray, Guion, Kennedy, McDugald, McAfee, Pettus Ramsay, Singleton, Stewart, and Stone, have been elected for four years from the last general election;

All of which is respectfully submitted.

On motion of Mr. Singleton,

The report was received.

On motion of Mr. Guion,

The further consideration of said report was postponed until Monday next, 12 o'clock M.

The Senate proceeded to the consideration of the orders of the day:

A bill to be entitled,

An act to amend an act, to secure to the owners of slaves executed by sentence of law, compensation for the same;

Was read the third time.

Mr. Guion moved to lay said bill on the table;

Which was lost.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Messrs. Alcorn, Carter, Gray, Guion, Hodges, Lake, McAfee, Price, Pettus, Stewart, Stone, and White—12 votes.

Noes—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Catching, Davis, Dabney, Greer, Harrison, Kennedy, Labauve, McDugald, Pegues, Ramsay Singleton, Sharpe, and Wilborne—19 votes.

Mr. Guion offered the following amendment by way of ryder;

Provided that the provisions of this act shall not apply to citizens of other States, who shall have slaves within this State employed in agricultural pursuits or hired to citizens of this State.

Pending the discussion on the bill and the ryder.

Mr. White moved the indefinite postponement of the bill and ryder,

Which was lost.

Mr. Labauve called for the ayes and noes thereon, which are as follows to-wit:

Ayes—Messrs. Briscoe, Carter, Dabney, Gray, Guion, Harrison, Kennedy, Pettus, Stewart, Stone, and White—11 votes.

Noes—Mr. President, Messrs. Alcorn, Boone, Beene, Bradford, Cannon, Catching, Davis, Greer, Hodges, Labauve, Pegues, Ramsay, Sharpe, and Wilborne—15 votes.

Mr. Alcorn offered the following amendment to the ryder:

Sec. — *Be it further enacted*, that if the slave of any resident citizen of this State shall be maimed, wounded, or killed by the slave of any negro trader or other person keeping negroes for sale, who may be a non-resident of this State, such resident citizen shall be entitled to recover of said non-resident slave vender the full value of said slave if killed, or an amount equal to the damage as the case may be, recoverable by action of trespass or action on the case as circumstances may suggest, unless it shall appear from the evidence in the case that said killing, maiming, wounding, or other injury was done in self defence.

On motion of Mr. Stone,

Said amendment to the ryder,

Was laid on the table.

The question was thereupon had on the adoption of the amendment by way of ryder;

Which was lost.

Mr. Stone called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Briscoe, Carter, Dabney, Gray, Guion, Harrison, Kennedy, McAfee, Price, Pettus, Stewart, Stone, and White—13 votes.

NOES—Mr. President, Messrs. Alcorn, Boone, Beene, Bradford, Cannon, Catching, Davis, Greer, Hodges, Labauve, McDugald, Pegues, Ramsay, Sharpe, and Wilborne—16 votes;

And said bill put on its final passage and passed:

Ordered, that the title thereof be as stated.

Mr. Guion called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Boone, Beene, Bradford, Cannon, Catching, Davis, Greer, Hodges, Labauve, McDugald, Pegues, Ramsay, Sharpe, and Wilborne—16 votes.

NOES—Messrs. Briscoe, Carter, Dabney, Gray, Guion, Harrison, Kennedy, McAfee, Price, Pettus, Stewart, Stone, and White—13 votes.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to inform the Senate, that he has approved and signed the following bills, to-wit:

An act to change the name of Martha A. Knowland;

A preamble and resolutions instructing our Senators and requesting our Representatives in Congress, to urge upon Congress the passage of a law authorizing the appropriation of the two per cent. fund to the Railrod east;

An act for the relief of Thomas Blewit Godbold;

An act to incorporate the Washington Fire Engine Company No. 4, of Vicksburg;

A resolution granting leave of absence from this State, to hon. A. B. Dawson;

An act to repeal an act, entitled an act to incorporate the town of Greensboro, and repeal all other acts incorporating the same, approved 18th February, 1846;

An act to amend an act, entitled an act, to authorize the Mayor and Aldermen of the city of Jackson, to erect a bridge across Pearl river;

An act to reduce the corporate limits of the town of Holly Springs;

An act to reduce the per diem allowance of the probate judge of Lauderdale county;

An act to change and amend the corporate limits of the town of Grand Gulf, in the county of Claiborne, &c.;

An act to provide for the election of the clerk of the superior court of chancery;

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States, in relation to stage routes;

An act to repeal an act, entitled an act, to amend an act to incorporate the town of Hernando, in the county of De Soto, approved February 16th, A. D. 1842, and for other purposes;

An act to enable the tax collectors more efficiently to collect the revenue of this State;

An act relative to the trustees of the University of the State of Mississippi;

An act to add certain counties therein named, to the southern vice-chancery district, &c.;

An act in relation to the redemption of lands purchased by the State for taxes;

An act authorizing Benjamin F. and Jonathan Morris of Panola county, to construct a Railroad in said county;

Approved February 25th, 1848.

Mr. Carter moved a recess until 3 o'clock P. M.;

Which prevailed.

THREE O'CLOCK, P. M.

The recess having expired,

The Senate met.

Mr. Price called from the table,

A bill to be entitled,

An act to restrict the jurisdiction of the sheriff of Tippah county in certain cases therein named;

Which was read; and

On motion of Mr. Labauve,

Indefinitely posponed.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

MR. PRESIDENT—The committee on engrossed bills, have ex-

amined amendments made by the Senate to a bill from the House of Representatives, to be entitled,

An act for the better regulation of the State Library;

And have found the same correctly engrossed.

Mr. Gray called for the consideration of a bill on the orders of the day, to be entitled,

An act to extend the time of holding the probate court of the county of Attala;

Which was read the first time.

On motion of Mr. Gray,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Gray offered the following amendment, viz;

Insert the word "require" after the word "long" in the last line of first section;

Which was adopted.

On the further motion of Mr. Gray,

The amendment was considered as engrossed,

And the rule further suspended,

And the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Dabney called from the table,

A bill to be entitled,

An act to repeal an act, entitled an act, to establish a system of common schools, and for other purposes, as to township sixteen, range eighteen east, situate in Noxubee county;

Which was read the second time forthwith.

Mr. Dabney offered the following amendment, to-wit:

Amend by striking out in first section, all after the word "to" in 5th line, and insert "Noxubee county;" strike out township in second section, and insert county: also, by adding the following additional section.

Sec. — *Be it further enacted*, that in all cases where the commissioners of common schools have sold sixteenth sections in said county, the notes or money when collected, shall be handed over by the county treasurer to the trustees of the sixteenth sections so sold, whenever such trustees are elected and qualified as now prescribed by law.

Sec. — *Be it further enacted*, that until such trustees are so

elected and qualified, the notes or money when collected shall be kept and loaned out by such county treasurer for the benefit of the township in which the sixteenth section so sold shall be situate.

Sec. — *Be it further enacted*, that all sales of sixteenth sections heretofore sold by said commissioners in said county, be and the same are hereby confirmed and made valid in law or equity;

Which was adopted.

On motion of Mr. Dabney,

Said bill as amended was ordered to be engrossed for a third reading on Monday next.

Mr. Dabney called for the consideration of,

A bill to be entitled,

An act to provide further time for holding the circuit court of Noxubee county, at the next June term of the same;

Which was read the first time.

On motion of Mr. Dabney,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Dabney,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act for the better regulation of the State Library;

Was read the third time forthwith as amended, and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to authorize the corporate authorities of North Mount Pleasant to erect a prison or place of confinement,

Was read the second time.

On motion of Mr. Greer,

The constitutional rule was suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, viz:

An act for the relief of the widow and heirs of James M. Matlock of De Soto county;

An act for the relief of John Deer sr., surviving executor of Burrus Haley, deceased;

An act to attach the counties of Claiborne and Simpson to the southern district chancery court of the State of Mississippi;

An act for the relief of the sheriff or tax collector of Monroe county;

An act to confer on John W. Snodgrass a minor, certain privileges;

An act for the relief of James M. Wynn, sheriff and tax collector of Lowndes county;

An act to legalize the sale of the sixteenth section in township six, range sixteen east, in the county of Lauderdale;

An act for the benefit of the Aberdeen Female Academy.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to declare Robuck Lake a navigable stream;

An act to revive an act entitled an act to incorporate the town of Macon, in the county of Noxubee, approved February 22d, 1842;

An act to facilitate the collection of the revenue of the city of Vicksburg;

An act for preserving and repairing the levees in the county of Washington;

An act to incorporate the town of Oakland in Yalobusha county;

An act for the relief Charles Clark and others;

An act to amend an act entitled an act to incorporate the Trustees of Louisville Academy, and for other purposes, approved 9th May, 1837;

An act to repeal in part, an act to provide for funding the treasury warrants of the State of Mississippi, issued prior to the first day of January, one thousand eight hundred and forty-one, approved February 6th, 1841;

An act to prohibit the sale of vinous and spirituous liquors in less quantities than five gallons, within five miles of the University of Mississippi;

An act for the benefit of the tax collector of Washington county;

An act to repeal an act entitled an act to authorize the board of police to locate the seat of justice of Bolivar county, approved February 28th, 1846, and for other purposes;

An act for the punishment of disturbers of public worship;

An act to remove the civil disabilities of Felix J. Funches of Hinds county;

An act for the relief of Thomas Pleasants;

An act to reduce the salary of the tax assessor of the county of Jackson;

An act in relation to the school fund of township twelve, range five east, in Yazoo county;

An act to revive and amend an act to incorporate the town of Chulahoma in the county of Marshall, approved 11th February, 1846;

An act to repeal an act entitled an act to prohibit the police court of Sunflower county from levying a special tax except in certain cases therein provided;

An act for the relief of Tillatoba Slackwater Navigation Company;

An act granting John V. Newman of Bolivar county, ferry privileges across the Mississippi River;

An act authorizing Robert Robson and Edwin E. Armstrong, of Talahatchie county, to construct a turnpike road in said county;

An act to exempt from sale under execution, the libraries of ministers of the gospel, and for other purposes;

An act to incorporate the Hernando and Mississippi Rail Roa d Company;

An act to incorporate the Raymond Female Institute;

An act to incorporate the town of Charleston, in the county of Talahatchie;

An act to define the duties of the board of county police of Tippah county, and for other purposes;

And have found the same correctly enrolled.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to reduce the corporate limits of the town of Holly Springs;

An act to incorporate the Washington Fire Engine Company No. 4, of Vicksburg;

An act to change the name of Martha A. Knowland;

An act to provide for the election of the Clerk of the Superior Court of Chancery;

An act to repeal an act entitled an act to incorporate the town of Greensborough, and repeal all other acts incorporating the same, approved 18th February, 1846;

An act to amend an act entitled an act to authorize the mayor and aldermen of the city of Jackson to erect a bridge across Pearl River;

An act for the relief of Thomas Blewit Godbold;

A preamble and resolutions instructing our Senators and requesting our Representatives in Congress, to urge upon Congress the passage of a law authorizing the appropriation of the two per cent. fund to the Rail Road east;

A resolution granting leave of absence from this State to Hon. A. B. Dawson:

A bill to be entitled,

An act to exempt the city of Natchez from the operation of the law now in force relative to the inspection of flour and other provisions, and for other purposes;

Was read the second time.

On motion of Mr. Stewart,

The constitutional rule was suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

A bill to be entitled,

An act to regulate suits in justices' courts in certain counties therein named,

Was read the second time.

Mr. Sharpe offered the following amendment, to-wit:

"Add the county of Holmes;"

Which was adopted.

On motion of Mr. Catching,

Said bill was laid on the table.

A bill to be entitled,

An act for the relief of Jefferson J. Hughes,

Was read the second time.

On motion of Mr. White,

The constitutional rule was suspended,

And the bill read a third time forthwith by title.

On motion of Mr. Sharpe,
Said bill was laid on the table.
A bill to be entitled,
An act for the benefit of the Salem male and female academies,
Was read the second time.
On motion of Mr. Carter,
Said bill was laid on the table.
A bill to be entitled,
An act to incorporate the Columbus female institute, in the town of Columbus, in the county of Lowndes,
Was read the first time.
On motion of Mr. Cannon,
The constitutional rule was suspended,
And the bill was read the second time forthwith by title.
Mr. Cannon offered the following amendment, to-wit:
Add "S" to the word "square," in section 11;
Which was adopted.
On the further motion of Mr. Cannon,
The amendment was considered as engrossed, and the rule further suspended, and the bill read the third time forthwith and passed:
Ordered, that the title thereof be as stated.
Mr. Alcorn called for the consideration of
A bill to be entitled,
An act to repeal the fourth section of an act entitled an act for the suppression of tippling houses, and to discourage and prevent the odious vice of drunkenness, approved February 9th, 1839, and for other purposes;
Which was read the third time forthwith.
On motion of Mr. Carter,
A call of the Senate was had.
The absentees appearing,
The further call was suspended.
On motion of Mr. Catching,
Said bill was referred to a select committee of three.
Messrs. Catching, Guion and Pettus, were appointed said committee.
Mr. Price asked and obtained leave to the introduction of
A bill to be entitled,

An act to repeal an act to regulate the payment of judgments or decrees against the State;

Which was read the first time.

On motion of Mr. Price,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Labauve moved to lay said bill on the table;

Which was lost.

Mr. Price moved to suspend the rule, and consider the bill as engrossed for a third reading forthwith;

Which was lost.

On motion of Mr. Greer,

The Senate adjourned.

MONDAY, FEBRUARY 28, 1848.

The Senate met pursuant to adjournment.

The journal of Saturday was read.

Mr. Labauve asked and obtained leave to the introduction of

A bill to be entitled,

An act permanently to establish the seat of justice of Tunica county;

Which was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

The bill was considered as engrossed, the rule further suspended,

And the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. McAfee asked and obtained leave to the introduction of

A bill to be entitled,

An act to repeal so much of an act as relates to the probate judge of Covington county, entitled an act to reduce the per diem allowance of members of the boards of police, probate judges and probate clerks of certain counties therein named, approved February 23rd, 1846;

Which was read the first time.

On motion of Mr. McAfee,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. McAfee,

The bill was considered as engrossed, the rule further suspended and the bill read the third time and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President.—The Speaker of the House of Representatives has signed,

An act to amend an act, entitled an act to incorporate the trustees of the Louisville Academy, and for other purposes, approved 9th May, 1837;

An act for the relief of the Tillatoba Slack Water Navigation Company;

An act for the relief of Charles Clarke, and others;

An act for preserving and repairing levees in the county of Washington;

An act to incorporate the town of Oakland, in Yallobusha county;

An act to repeal an act, entitled an act, to authorize the board of police to locate the seat of justice in Bolivar county, approved February 28th, 1846, and for other purposes;

An act to remove the civil disabilities of Felix A. Funchess, a minor of Hinds county;

An act to reduce the salary of the tax assessor in the county of Jackson;

An act to revive and amend an act to incorporate the town of Chulahoma, in the county of Marshall, approved 11th February, 1846;

An act for the relief of Thomas Pleasants;

An act in relation to the school fund of towdship 12, range two east, in Yazoo county;

An act to revive an act, entitled an act, to incorporate the town of Macon, in the county of Noxubee, approved February 22nd, A. D. 1842;

An act to prohibit the sale of vinous and spirituous liquors in less quantities than five gallons within five miles of the University of Mississippi;

An act to facilitate the collection of the revenue of the city of Vicksburg;

An act to repeal in part, an act to provide for funding the treasury warrants of the State of Mississippi, issued prior to the first day of January, 1841, approved February 6th, 1841;

An act for the benefit of the tax collector of Washington county;

An act to declare Roebuck Lake a navigable stream;

An act to repeal an act, entitled an act, to prohibit the police court of Sunflower county from levying a special tax except in certain cases therein provided;

An act for the punishment of disturbers of public worship;

An act to authorize Daniel B. Nailor, his heirs and assigns to build a turnpike road across the Big Black swamp in the county of Warren and State of Mississippi, from the ferry known as Baldwins ferry to Regans Island;

An act granting J. V. Newman of Bolivar county, ferry privileges across the Mississippi river;

An act for the relief of the sheriff and tax collector of Monroe county;

An act to attach the counties of Claiborne and Simpson, to the southern district chancery court of the State of Mississippi;

An act to legalize the sale of the 16th section in township six, range 16 east, in the county of Lauderdale;

An act to confer on J. W. Snodgrass a minor, certain privileges;

An act for the relief of the widow and heirs of James M. Matlock of De Soto county;

An act for the benefit of the Aberdeen Female Academy;

An act for the relief of James M. Wynn, sheriff and tax collector of Lowndes county;

An act for the relief of John Deer, sen'r., surviving executor of B. Haley deceased;

An act to incorporate the Raymond Female Institute;

An act to incorporate the Hernando and Mississippi Railroad Company;

An act to authorize Robert Robson and Edwin E. Armstrong of Tallahatchie county, to construct a turnpike road in said county;

An act to define the duties of the board of county police of Tippah county, and for other purposes;

An act to incorporate the town of Charleston in the county of Tallahatchie;

An act to exempt from sale under execution, the libraries of Ministers of the Gospel, and for other purposes;

Which are herewith presented to the Senate for the signature of the President.

The House of Representatives have passed a bill to be entitled,

An act to amend and alter the Militia Laws of this State;

In which I am instructed to desire the concurrence of the Senate.

The President signed the acts in said message mentioned.

Mr. Guion, from the judiciary committee, to whom was referred the petition of Henry Mattaeur; reported,

A bill to be entitled,

An act for the relief of Mary Mattaeur, a woman of color, the wife of Henry Mattaeur;

Which was read the first time.

On motion of Mr. Hodges,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Sharpe moved the indefinite postponement of said bill,

Which was lost.

On motion of Mr. Sharpe,

The bill was considered as engrossed, and the rule was further suspended, and the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Labauve asked and obtained leave to the introduction of

A bill to be entitled,

An act in relation to taxes;

Which was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

The bill was considered as engrossed, and the rule further suspended,

And the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled

bills, have this day presented to his Excellency the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to define the duties of the board of county police of Tippah county, and for other purposes;

An act for the relief of the widow and heirs of James M. Matlock, of De Soto county;

An act authorizing Robert Robson and Edwin E. Armstrong, of Tallahatchie county, to construct a turnpike road in said county;

An act for the relief of the sheriff or tax collector of Monroe county;

An act to attach the counties of Claiborne and Simpson, to the southern district chancery court of the State of Mississippi;

An act for the relief of James M. Wynn, sheriff and tax collector of Lowndes county;

An act to incorporate the Hernando and Mississippi Railroad Company;

An act to incorporate the Raymond Female Institute;

An act for the relief of John Deer sen'r, surviving executor of Burrus Haley deceased;

An act for the benefit of the Aberdeen Female Academy;

An act to incorporate the town of Charleston, in the county of Tallahatchie;

An act to confer on John W. Snodgrass, a minor, certain privileges;

An act to legalize the sale of the sixteenth section in township six, range sixteen east, in the county of Lauderdale.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor for his approval and signature, bills of the following titles, to-wit:

An act to incorporate the town of Oakland, in Yallobusha county;

An act to facilitate the collection of the revenue of the city of Vicksburg;

An act to prohibit the sale of vinous and spirituous liquors in less quantities than five gallons within five miles of the University of Mississippi;

An act to amend an act, entitled an act, to incorporate the trustees of Louisville Academy, and for other purposes, approved 9th May, 1837;

An act for the relief of Charles Clarke and others;

An act for the punishment of disturbers of public worship;

An act for the relief of Thomas Pleasants;

An act for preserving and repairing levees in the county of Washington;

An act to remove the civil disabilities of Felix J. Funches, a minor of Hinds county;

An act granting John V. Newman of Bolivar county, ferry privileges across the Mississippi river;

An act for the benefit of the tax collector of Washington county;

An act to reduce the salary of tax assessors of the county of Jackson;

An act for the relief of the Tillatoba Slackwater Navigation Company;

An act to declare Roebuck Lake a navigable stream;

An act to repeal an act, entitled an act, to authorize the board of police to locate the seat of justice in Bolivar county, approved February 28th, 1846, and for other purposes;

An act to repeal an act, entitled an act, to prohibit the police court of Sunflower county, from levying a special tax except in certain cases therein provided;

An act to revive and amend an act, to incorporate the town of Chulahoma, in the county of Marshall, approved 11th Feb., 1846;

An act in relation to the school fund in township twelve, range two east, in Yazoo county;

An act to revive an act, entitled an act, to incorporate the town of Macon, in the county of Noxubee, approved February 22nd, A. D. 1842;

An act to repeal in part, an act for funding the treasury warrants of the State of Mississippi, issued prior to the first day of January, one thousand eight hundred and forty-one, approved February 6th, 1841.

Mr. Harrison called for the consideration of a bill on the orders of the day; to be entitled,

An act to provide for the payment of the Planters Bank bonds and coupons issued by the State on account of the Planters Bank;

Which was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Briscoe called for the ayes and noes thereon, on the passage of said bill, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Boone, Cannon, Carter, Catching, Davis, Dabney, Greer, Guion, Harrison, Hodges, Lake, McDugald, McAfee, Pegues, Pettus, Ramsay, Stewart, White, and Wilborne—21 votes;

NOES—Messrs. Beene, Bradford, Briscoe, Johnson, Labauve, and Sharpe—6 votes.

Mr. Bradford asked and obtained leave to the introduction of

A bill to be entitled,

An act to authorize Hugh R. Miller of Pontotoc county, to remove to Hardeman county, certain property of his wards, Mary V., Philip D., Beverly M., and John B. Lacy;

Which was read the first time.

On motion of Mr. Bradford,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Bradford,

The bill was considered as engrossed, the rule further suspended, and the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Stone from a joint select committee, made the following report, to-wit:

MR. PRESIDENT—The select committee to whom was referred the joint resolution of both Houses, to suggest the best mode and manner of examining the Auditor's, Treasurer's and Executive offices of the State, have had the same under consideration, and have instructed me to report the bill accompanying this report, and recommend its passage.

The bill reported, to be entitled,

An act to provide for a board of commissioners, for the examination of the books of the Auditor, Treasurer and Executive departments of this State, and for other purposes,

Was read the first time.

On motion of Mr. Stone,

The report was received and agreed to.

On motion of Mr. Stone,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title

Mr. Labauve offered the following amendment, to-wit:

Strike out "same compensation as the Clerk of the House of Representatives," and insert "four dollars per day;"

Which was adopted.

Mr. Labauve offered the following amendment, to-wit:

Strike out the compensation of five dollars per day, allowed to the commissioners, and in lieu thereof insert four;

Which was adopted.

Mr. Pettus offered the following amendment, to-wit:

Amend by inserting the books of the Penitentiary;

Which was adopted.

Mr. Dabney offered the following amendment, to-wit:

Strike out after the enacting clause, to the "and," in fourth line, and insert "that a committee of one on the part of the Senate, and two on the part of the House of Representatives, be elected by the respective Houses, to;"

Which was lost.

Mr. Bradford offered the following amendment, to-wit:

Amend section one by stiking out G. F. Neill;

Which was lost.

Mr. Greer offered the following amendment, to-wit:

Strike out after the enacting clause, to the word "and," in the 4th line, and insert "that John I. Guion, James C. Alderson be appointed a committee on the part of the Legislature," and strike out from the word "be," in the 5th line, to the word "whose," in the 7th line;

Which was adopted.

On motion of Mr. Labauve,

The constitutional rule was suspended, and the bill as amended, was considered as engrossed, and read the third time forthwith and passed.

On motion of Mr. Labauve,

The title of said bill was amended as follows, to-wit:

A bill to be entitled,

An act to provide a committee for the examination of the books of the Auditor of Public Accounts, Treasurer and Executive departments of this State, and for other purposes:

Ordered, that the title stand as amended.

Mr. Alcorn from a select committee, to whom a bill from the House, to be entitled,

An act for the permanent location by the citizens, of the county seat of Coahoma county,

Reported a bill of the following title as a substitute for said bill:

A bill to be entitled,

An act to authorize the voters of Coahoma county to permanently locate their county seat;

Which substitute was read the first time.

On motion of Mr. Alcorn,

The report was received.

On the further motion of Mr. Alcorn,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

Mr. Cannon offered the following amendment, to wit:

Provided the expenses of said election shall be paid out of the county treasury;

Which was lost.

On motion of Mr. Alcorn,

The bill was considered as engrossed, the rule further suspended, and the bill read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Guion offered the following resolution, to wit:

Resolved by the Legislature of the State of Mississippi, that the Secretuary of State of this State, be, and he is hereby authorized to furnish the Governor of the State of Texas two copies of Howard and Hutchinson's Digest of the laws of Mississippi;

Which was read the first time.

On motion of Mr. Guion,

The constitutional rule was suspended,

And the resolution was read the second time forthwith and adopted.

Mr. Catching from a select committee, to whom had been referred,

A bill to be entitled,

An act to repeal the fourth section of an act entitled an act for the suppression of tippling houses, and prevent the odious vice of drunkenness, approved February 9th, 1839, and for other purposes,

Reported said bill back with amendments.

On motion of Mr. Catching,

The report was received.

Mr. Catching moved to agree to said amendments.

A division of the question was called for;

Which was had;

First upon agreeing to the first amendment;

Which was decided in the affirmative.

On motion of Mr. Guion,

The second amendment was disagreed to,

On motion of Mr. Labauve,

The bill was considered as engrossed, and read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Beene, from the committee on engrossed bills, made the following report, to-wit:

MR. PRESIDENT—The committee on engrossed bills, have examined a bill of the following title, to-wit:

A bill to be entitled,

An act to repeal an act entitled an act to establish a system of common schools, and for other purposes, as to Noxubee county;

And have found the same correctly engrossed.

Mr. Hodges moved a recess until 3 o'clock P. M.;

Which prevailed.

THREE O'CLOCK P. M.

The recess having expired,

The Senate met.

Mr. Boone offered the following resolution, to-wit:

Resolved, (the House concurring), that the Secretary of State be authorized and required to draw from the State Library a number of copies of Howard and Hutchinson's Digest, sufficient to furnish each officer of the State entitled by law to receive the same, where such officers have never received a copy;

Which was read the first time.

Mr. Labauve offered the following amendment, viz:

Provided the number remaining in the library shall not be reduced below twenty-five;

Which was adopted.

On motion of Mr. Boone,

The rule was suspended, and the resolution read the second time forthwith and adopted.

Mr. Boone asked and obtained leave to the introduction of

A bill to be entitled,

An act supplemental to an act entitled an act to provide for the sale of the 500,000 acres of land donated by Congress to this State for purposes of internal improvement;

Which was read the first time.

On motion of Mr. Boone,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Alcorn moved to lay the bill on the table;

Which was lost.

Mr. Sharpe offered the following amendment, to-wit:

Strike out "eight dollars," and insert "four dollars."

Mr. Bradford called for a division of the question;

Which was had, first upon striking out;

Which was decided in the affirmative.

Mr. Bradford moved to fill the blank with "six dollars;"

Which was lost.

On motion of Mr. Labauve,

The blank was filled with "four dollars."

Mr. Sharpe offered the following amendment, to-wit:

Amend by striking out "clerks;"

Which was adopted.

Mr. Boone moved the indefinite postponement of said bill;

Which was lost.

On motion of Mr. Catching,

All of said bill which relates to clerks, was struck out.

On motion of Mr. Labauve,

The bill was considered as engrossed,

The rule further suspended,

And the bill read the third time and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to amend the several acts in relation to tippling and retailing;

A bill to be entitled,

An act to amend the several laws of this State in relation to attachments;

A bill to be entitled,

An act to amend an act entitled an act directing the method of proceeding in courts of equity against absent debtors and other absent defendants, and for regulating the proceedings in attachment against absconding debtors, passed June 7th, 1822;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have given leave to the introduction of bills of the following titles:

A bill to be entitled,

An act to abolish accommodation paper, and for other purposes;

A bill to be entitled,

An act to amend an act entitled an act to establish a system of common schools, and for other purposes;

And have passed a Senate bill, to be entitled,

An act to authorize the State Commissioner, or any other person having charge of the sinking, seminary, or town lot fund, to compromise with debts to said funds;

And have made sundry amendments thereto;

In which I am requested to desire the concurrence of the Senate.

Mr. President—The House of Representatives have passed a Senate bill, to be entitled,

An act to take the sense of the people of the State of Mississippi on the propriety of calling a convention to amend the constitution of the State;

And have made an amendment thereto;

In which I am instructed to desire the concurrence of the Senate.

Mr. President—The House of Representatives have passed a bill of the following title, to-wit:

A bill to be entitled,

An act to amend the several acts in relation to the revenue of this State, and for other purposes;

In which I am instructed to desire the concurrence of the Senate.

Mr. Singleton asked and obtained leave to the introduction of

A bill to be entitled,

An act amendatory of the act to incorporate the town of Canton;

Which was read the first time.

On motion of Mr. Singleton,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Singleton,

The bill was considered as engrossed,

The rule further suspended,

And the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed:

An act to authorize Ezekiel McNabb to build a mill and mill dam;

An act to exempt the city of Natchez from the operations of the law now in force relative to the inspection of flour and other provisions, and for other purposes;

An act to incorporate the town of Snowsville, in Choctaw county;

An act to authorize the corporate authorities of North Mount Pleasant to erect a prison or place of confinement;

An act to provide further time for holding the circuit court of Noxubee county, at the next June term of the same;

An act supplemental to an act to authorize Peter B. Starke, his heirs and assigns, to erect a toll bridge across the Noxubee river, &c.;

An act for the relief of certain citizens of the county of Jones;

An act to amend an act to secure to the owners of slaves executed by sentence of law, compensation for the same;

Which are herewith presented to the Senate for the signature of the President.

The President signed the acts in said message mentioned.

The following message was received from the House of Representatives, through their Clerk, towit:

MR. PRESIDENT—The House of Representatives have passed,

A bill to be entitled,

An act declaring Yallobusha river a navigable stream;

In which I am instructed to desire the concurrence of the Senate.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, viz:

An act to authorize Ezekiel McNabb to build a mill and mill dam;

An act to exempt the city of Natchez from the operations of the law now in force relative to the inspection of flour and other provisions, and for other purposes;

An act to incorporate the town of Snowsville, in Choctaw county;

An act to authorize the corporate authorities of North Mount Pleasant to erect a prison or place of confinement;

An act to provide further time for holding the circuit court of Noxubee county, at the next June term of the same;

An act supplemental to an act to authorize Peter B. Starke, his heirs and assigns, to erect a toll bridge across the Noxubee river, &c.;

An act for the relief of certain citizens of the county of Jones;

An act to amend an act to secure to the owners of slaves executed by sentence of law, compensation for the same;

And have found the same correctly enrolled.

Mr. Sharpe called for the consideration of the report made on Saturday last by the joint standing committee on elections;

Which was read forthwith.

On motion of Mr. Singleton,

The name of Mr. Boone, the honorable Senator from the county of Tishemingo, was struck out from the first class of Senators, as designated in said report, and inserted in the second class.

Pending the discussion on the report,

Mr. Guion offered the following resolution, to-wit:

Resolved, that the following named Senators, to-wit: Messrs Lipscomb, Dabney, Johnson, Price, Pegues, Wilborne, Boone, Labauve, Greer, Harrison and Lake, being eleven in number, will go out of office at the next general election; that the following Senators, Messrs. Kennedy, Stone, Guion and Cannon, have been elected for four years from the last general election, their districts not having been changed by the last apportionment act; that the following Senators, to-wit: Messrs. Hodges, Sharpe, White, Alcorn, Beene, Bradford, Briscoe, Carter, Catching, Davis, Gray, McDugald, McAffee, Pettus, Ramsay, Singleton and Stewart, are elected from new districts, being seventeen in number, who have not been classed.

Resolved further, that said seventeen Senators shall be classified as follows: Seventeen tickets shall be placed in a ballot box, upon twelve of which "four years" shall be written, and "five blank;" and said seventeen Senators shall each draw one of said

tickets, and those drawing blanks shall go out of office at the next general election.

Pending the discussion thereon,

On motion of Mr. Lake,

The Senate adjourned.

TUESDAY, FEBRUARY 29, 1848.

The Senate met pursuant to adjournment.

The journal of yesterday was read.

Mr. Labauve asked and obtained leave to the introduction of

A bill to be entitled,

An act concerning the Hernando Female Academy, in Desoto county;

Which was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Sharpe moved to lay said bill on the table;

Which was lost.

On motion of Mr. Labauve,

The bill was considered as engrossed,

The rule further suspended,

And the bill read the third time, and passed:

Ordered, that the title thereof be as stated.

Mr. Ramsay asked and obtained leave to the introduction of

A bill to be entitled,

An act for the relief of George Holly;

Which was read the first time.

On motion of Mr. Ramsay,

The constutional rule was suspended,

And the bill was read the second time, by title.

On the further motion of Mr. Ramsay,

The bill was considered as engrossed,

The rule further suspended,

And the bill read the third time and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The Speaker of the House of Representatives has signed bills of the following titles:

An act to authorize Daniel B. Nailor, his heirs and assigns, to build a turnpike road across the Big Black swamp in the county of Warren, and State of Mississippi, from the ferry known as Baldwin's ferry, to Regan's Island;

An act requiring the treasurer of Pontotoc and Lafayette counties to loan the school fund of said counties;

An act to exempt from sale under execution the libraries of Ministers of the Gospel, and for other purposes.

The President signed the bills in said message mentioned.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

To the Senate:

I return to your honorable body, without my approval, "an act for the relief of the widow and heirs of James M. Matlock, of De Soto county.

They propose to release the widow and her heirs, also William D. Ellis from a forfeiture, which power, as I conceive, is vested by the constitution in the Governor and Senate alone: this is manifest from the 10th section of the 5th article of the constitution.

Believing that it is important to confine each department of government within its constitutional bounds, I cannot give the act under consideration my approval.

Executive Chamber, Feb. 28th, 1848. J. W. MATTHEWS.

On motion of Mr. Guion,

Said message was laid on the table.

Mr. Harrison, from a joint select committee, made the following report, to-wit:

Mr. President—The select committee appointed by the Senate for the purpose of investigating the affairs of the office of State Commissioner, beg leave to report, that owing to the shortness of time they have been able to devote to the duties assigned them, they have not given the subject that investigation so desirable to themselves and the Senate. They have, however, had the affairs of that office under investigation, and in order to give it as thorough

an investigation as the time would allow, your committee applied at the Auditor's office for the purpose of obtaining, if possible, the amount of claims placed in the hands of said Commissioner, and was informed that no receipt had been taken, or record kept in that office, showing the amount. Your committee then had recourse to the books of the Governor's office, supposing that some information could be obtained from that source, in the absence of other means upon which to found an investigation; and upon examination of the Executive correspondence with that officer, your committee found the record book containing said correspondence mutilated and defaced; upon which the chairman of the committee addressed a note to Samuel Stamps, Esq., who acted as Secretary to his Excellency the late Governor, which correspondence is herewith submitted and made part of this report. Your committee then had recourse to the books and papers of the office itself, and statement of that officer herewith submitted, from which your committee have no hesitation in saying, that the affairs of that office have been badly managed. It will be seen from the report of the Commissioner, that at the present time there is due the sinking fund the sum of $479,488 39, of which amount only $86,054 is thought to be good. It appears from the books in the Treasurer's office, that up to the 1st day of January, 1848, the sum of $111,837 71 was received, of which amount $18,167 10 was paid in bonds and coupons: since that time the further sum of $1,834 86 has been paid in, making the entire sum as paid in $113,672 57, of which sum $45,523 22 was collected by the former Commissioners, leaving the sum of $68,149 35, which seems to be the amount collected by the present Commissioner; to this amount add the amount reported as due the sinking fund by the Commissioner, and it will appear that the sum paid in and still due the sinking fund, is $593,160 87. Your committee deem it proper to state that it appears from papers in the office of the Commissioner, that the sum of $5,000 was collected by Mr. Mallory, during his official term, besides several other amounts, which was never accounted for by him, as your committee can ascertain. It will be seen from a report made to the Legislature in the year 1844, that the amount due the sinking fund at that time, was $762,508 62, (Journals 1844, page 347, 514–15–16 and 17,) which will show a discrepancy of $169,347 75. Your committee have not had the means

of ascertaining how the discrepancy occurs, those claims having been managed by so many different persons, including the Planters Bank.

There seems to be a considerable quantity of lands belonging to the fund, which if properly managed might be made available. They should be forthwith examined, and a descriptive list had of the whole of them, setting forth the number of acres in each tract or lot, together with the locality and quality.

The general situation of this office impresses your committee with the importance of a committee of investigation, during the vacation of the Legislature, and to report at its next session. It is impossible that a committee raised during the session, could do the subject justice, complicated as it is, and discharge at the same time their legislative duties. Your committee are of opinion that the office of State Commissioner should be abolished, and the duties of that office performed by the officer of some other department, and have instructed me to report a bill accordingly, and recommend its passage.

All of which is respectfully submitted.

The correspondence referred to in the foregoing report with Samuel Stamps, is as follows, viz:

JACKSON, 22d February, 1848.

Hon. James E. Harrison, Chairman Senate Committee:

Dear Sir—Your letter, of which the following is a copy, is now before me:

"SENATE CHAMBER,
Jackson, Feb. 22d, 1848.

"*Mr. Samuel Stamps:*

Dear Sir—The Senate having appointed a committee to investigate the affairs of the office of State Commissioner, with power to send for books, papers and persons, and every other facility necessary to a thorough investigation of said office, the committee in discharge of the duties aforesaid, have deemed it to be their duty to examine the Executive correspondence with said commissioner, and on such examination find the records of correspondence mutilated; and learning that you had acted as Secretary to his Excellency the late Governor, the committee desire such information as you may be in possession of, relative to the correspondence above

alluded to, and all other information connected therewith. An early reply is requested.

Very respectfully,

JAMES E. HARRISON, Ch'n."

I herewith enclose you a copy of the letter of the late Governor, to the State Commissioner, which he, the State Commissioner, subsequently acknowledged to me, he removed from the book of the Executive correspondence. About a week after the date which it bears, I discovered it had been removed from the book into which I had copied it, at the request of the Governor, together with another letter on the same leaf. I immediately informed the Governor of the fact, and asked him if he had authorized General Young to remove his letter from the letter book. He seemed much surprised at this, and enquired how I knew Genl. Young had done it. I replied that he alone had access to the office where the book was in my absence, having within the week obtained the key from me, saying, he wished to examine papers connected with his duties as State Commissioner. Governor Brown and Genl. Young very shortly after, had an interview in the Governor's office, during which, I had begun to re-copy the letter into the same book from which it had been removed. This I did from a book belonging to a copying press, into which Governor Brown had also made an impression of the same letter, before he gave it to me to copy into the letter book of the Executive correspondence. At the time of his interview with Genl. Young, I had copied about half of the letter. Upon my enquiry of Governor Brown if he yet desired the letter to be copied, remarking that if he did not, it could be erased, Governor Brown replied that I might let it remain for the present, and if Genl. Young should do his duty faithfully, it might be left out entirely.

The copy enclosed was, under these circumstances, made from the copying press book of Governor Brown, and is the same which was first removed as above stated, and is now missing from the book belonging to the copying press.

In an interview with Genl. Young, which took place after his interview with Gov. Brown, he acknowledged to me he had cut the leaf out, and said, moreover, if he could get the Governor's copying press book, he would tear it from that also.

I have thus given you such information as at present strikes me to be demanded by your letter.

And am, sir, with high respect,
Your obedient servant,
SAMUEL STAMPS.

EXECUTIVE CHAMBER,
Jackson, Miss., 27th Feb., 1847.

James R. Young, Esq., State Commissioner:

Sir—Several days since, I addressed a note to you requiring among other things to be informed why you had not complied with the first section of an act to appoint a State Commissioner, and for other purposes, and I regret to say, that with your usual contemptuous disregard of official duty, you have paid to it no attention. *The demand is now renewed for the last time.* I have repeatedly called your attention to the act authorizing the sale of lands belonging to the sinking fund, and for other purposes, and directed you to carry out its provisions. Yet in contempt of the law, you have perseveringly refused so to do. *You are now requested, without delay, to advertise these lands for sale.* Your official conduct lately has been any thing but satisfactory, and as I am responsible for your appointment, I intend in future that your duties shall be more strictly attended to. It is painful to me to place on record such repeated expressions of my disapprobation of your conduct; but as you seem disinclined to do your duty, and appear to wish to embarrass me in every possible way, I have made up my mind to exact from you a more rigid compliance with the law.

Yours, &c., &c., A. G. BROWN.

The report referred to in the foregoing report, of the State Commissioner, in relation to the sinking fund, is in the words and figures following, to-wit:

REPORT OF STATE COMMISSIONER IN RELATION TO SINKING FUND.

To Honl. John J. McRae,

Speaker of House of Representatives:—

In obedience to the resolution of the House of Representatives, I have the honor to submit the following list of debts belonging to the Sinking Fund, so far as the same has come to the knowledge of the undersigned, or of which he has derived information of them, containing the names of the parties thereto, and the amounts thereof; also a statement of the judgments rendered thereon, for what amount, against whom, and the date thereof. The vast majority of the judgments, it will be observed by their dates, were rendered previous to my appointment to office, and had been returned, and are unproductive, except a few credits applicable to some of the notes or judgments by the late Commissioners of the Sinking Fund, and since by the purchase of land, &c., but which the accruing interest has already or will soon absorb. The parties to the notes when executed, were doubtless good, but death, removals from the State and the revolution in the pecuniary affairs of many since, has caused a very different state of things. I have placed the greater portion of these claims in the hands of attorneys in different parts of the State for collection, but both their and my exertions to save the same, except where otherwise specified, have proved ineffectual. Many of the parties are doubtless hopelessly insolvent, others, no doubt, possess property in this or other States, but so shielded that no sheriff will levy without a bond of indemnity. This I possess no power to give. The fund owns lands to the amount of over thirty thousand acres—some of the lands being in lots, I cannot ascertain the precise number of acres—lying in the counties of Tallahatchie, Yallabusha, Carroll, Coahoma, Bolivar, Hinds, Copiah, Rankin and Scott. A small portion of these

lands were taken in compromises, the residue were purchased under execution where nothing else could be had, and wherever so purchased by me, I was willing to let them go at a bid of $1 25 per acre. The title to these latter lands are some of them conflicting.

Respectfully submitted, J. R. YOUNG,
February 19th, 1848. State Commissioner.

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment, against whom rendered, and date.	Amount.
Note No. 481 for $372. Makers, Miles Owen, R. Abbey, D. F. Miller, Wm. Harris, Owen & Fortune.	Judgment in Adams against Miller, Harris, M. Owen and J. R. Fortune: 27th June, 1840; for - - - - -	$419 50
Note no. 517 for $1500. Makers, D. W. Connely, S. M. Lynch, B. A. Ludlow, A. L. Wilson.	Judgment in Adams against all Makers: 17th June, 1841; for - - - -	1789 55
Note no. 340 for $1600. Makers, L. Pitcher, Noah Barlow, C. A. Lacoste.	Judgment in Adams against makers: 18th June, 1841; for - - - -	2152 45
Note no. 541 for $1200. Makers, Wm. Harris, S. Murchison, Lewis Lum.	Judgment in Adams against makers: 18th June, 1841; for - - - -	1509 00
Note no. 387 for $1000. Makers, Sprague & Howell, Samuel Cotton, Arthur & Fulton.	Judgment in Adams against Howell, Cotton and Arthur: 18th June 1841; for -	1406 24
Note no. 72 for $116 66. Makers, S. Sprague. Francis E. Sprague, James Kemp, E. Montgomery.	Judgment in Adams against Montgomery: 18th June, 1841; for - - -	157 95
*Note no. 451 for $3090. Makers, Robt. Bradley, F. Beaumont, J. C. Wilkins.	Judgment in Adams against makers: 25th May, 1842; for - - -	4406 63
Note no. 367 for $1800. Makers, S. Sprague, Francis E. Sprague, Eli Montgomery.	Judgment in Adams against Montgomery: 18th June, 1841; for - - - -	2580 00

Note no. 474 for $1900. Makers, E. J. Pinkerton, Chas. A. Lacoste, Throckmorton & Patterson.	Judgment in Adams against Pinkerton, Lacoste and Patterson: 24th May, 1842; for	2707 00
Note no. 251 for $2000. Makers, J. Russell, Jno. P. Smith, John Cameron.	Judgment in Adams against Russell and Cameron: 24th May, 1842; for	3179 17
Note no. 549 for $3720. Makers, R. Abbey, Owen & Fortune, D. F. Miller and Bros. Wm. Harris.	Judgment in Adams against Abbey, Fortune, D. F. and G. W. Miller and Harris: 7th June, 1842; for	4983 25
Note no. 225 for $5000. Makers, R. J. Walker, Jas. Duncan, Thos. Barnard, Jno. C. Potts, P. M. Lapice.	Judgment in Adams against Walker, Barnard and Lapice: 7th June, 1842; for	8133 31
Note no. 530 for $5400. Makers, J. P. Smith. Thos. Barnard, Joshua James, jr. J. N. H. Wood.	Judgment in Adams against Barnard, James, Wood: 25th May, 1842; for	7287 00
Note no. 449 for $4500. Makers, J. P. Smith. Owen and Fortune, Thos. Barnard.	Judgment in Adams against Owen and Fortune and Barnard: 25th May, 1842; for	6423 75
†Note no. 532 for $1000. Makers, S. H. B. Black, F. Beaumont, Eli Montgomery, J. H. Van Court.	Judgment in Adams against all makers: 25th May, 1842; for	5354 00

*—Compromised and judgment transferred; amount for which compromised in hands of attorney—not yet paid over.

†—Returned nulla bona. $3000 subsequently received by H. D. Mandeville, jr. attorney, late Commissioner of Sinking Fund, and held by him—claimed for fees. There is a probability that the residue of this debt will be paid by Van Court.

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment, against whom rendered, and date.	Amount.
Note no. 556 for $2000. Makers, Saml. Cotton, Silas Lillard, Arthur and Fulton.	Judgment in Adams against Cotton, Lillard, and Arthur and Fulton: 25th May, 1842; for	$2663 20
Note no. 500 for $1650. Makers, S. T. Mcalister, D. C. Michie, N. S. Nicholls.	Judgment in Adams against McAlister and Michie: 25th May, 1842; for	2313 16
Note no. 433 for $1500. Makers, Barlow and Taylor, Arthur and Fulton, Andrew Brown, T. A. Faulconer.	Judgment in Adams against Barlow and Taylor, J. W. Arthur, Brown and Faulconer: 24th May, 1842; for	2157 00
*Note no. 566 for $5500. Makers, Nathl. Harrison, Epheus Gibson, Wm. Harris.	Judgment in Adams against Harrison and Harris: 24th May, 1842; for	7747 00
Note no. 403 for $5500. Makers, F. Stanton. J. C. Wilkins, Wm. M. Helm.	Judgment in Adams against all makers: 24th May, 1842; for	8409 00
Note no. 265 for $450. Makers, S. Sprague, F. E. Sprague, F. Montgomery, Thomas Barnard.	Judgment in Adams against Montgomery and Barnard: 18th June, 1841; for	672 00
Note no. 579 for $2500. Makers, F. Beaumont, J. Beaumont, E. D. Cochran, adm'x.,	Judgment in Adams against all makers; 15th December, 1842; for	3354 15
Note no. 578 for $2000. Makers, J. Beaumont, F. Beaumont, Wm. H. Fox.	Judgment in Adams against all makers: 15th December, 1842; for	2683 30

Note no. 584 for $550. Makers, Barnard and McNeill, Jno. P. Smith, J. N. H. Wood.	Judgment in Adams against Barnard: 15th December, 1842; for - - -	689 82
Note no. 583 for $2477 16. Makers, Barnard & McNeill, J. P. Smith, R. L. Throckmorton.	Judgment in Adams against Barnard: 15th December, 1842, for, say - -	2911 00
Note no. 558 for $1080. Makers, Thos. Barnard, Jos. W. Tucker, J. N. H. Wood, Owen and Fortune.	Judgment in Adams against Barnard: 15th December, 1842; for - - -	1498 50
Note no. 547 for $4500. Makers, Thos. Barnard, John P. Smith, C. Marsh.	Judgment in Adams against Barnard and Marsh: December 15th, 1842; for	6206 25
Note no. 577 for $2000. Makers, Saml. Hogg, Wm. M. Gwin, J. C. Wilkins.	Judgment in Adams against Gwin and Wilkins: 15th December, 1842; for	2683 30
Note no. 580 for $3137. Makers, F. Huston, E. M. Daingerfield, Wm. Harris.	Judgment in Adams against all makers: 15th December, 1842; for - - -	3970 76
Note no. 226 for $5000. Makers, E. G. Howell, R. J. Walker, Thos. Barnard, John C. Potts, P. M. Lapice.	Judgment in Adams against all makers: 11th December, 1843; for - - -	8885 00
Note no. [illegible] for $5504. Makers, R. J. Walker, E. G. Howell, P. M. Lapice.	Judgment in Adams against all makers: 11th December, 1843; for - - -	9415 00
†Note no. 565 for $3000. Makers, E. P. Passmore, F. Rowan, Eli Montgomery.	Judgment in Adams against Rowan and Montgomery: 28th May, 1842; for -	3684 50
	Judgment in Adams against F. Stanton; for	297 87

*—Returned nulla bona. Suit since instituted in Louisiana, and now pending against the administrator of Epheus Gibson, dec'd. Debt, it is believed, will be saved.

†—Secured by deed of trust.

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ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment against whom rendered, and date.	Amount.
Note no. 536 for $5750. Makers, Wm. Graves. Wm. Barnes, Sam. T. Scott, E. R. Brown, Geo. M. Barnes.	Judgment in Copiah against Graves, Wiliam Barnes, Brown, and G. M. Barnes, May, 1842, for - - - - - - - -	$7938 00
Note no. 354 for $2500. Makers, E. D. Learned, L. Kennedy, Mason Reynolds, Wm. Barnes.	Judgment in Copiah against Kennedy and Barnes, May, 1843, for - - - -	4083 33
Note no. 523 for $1650. Makers, R. & J. A. Miller, Elisha Greenlee, J. H. Campbell, James Speed.	Judgment in Copiah against R. and J. A. Miller, Greenlee, and Speed, May, 1842, for (Judgment also in Hinds, vs Campbell.)	2200 00
Note no. 863 for $6000. Makers, D. B. Egan, W. P. Harris, A. M. Wilson, Solm. Tracy, J. B. Read, Thos. Holliday.	Judgment in Copiah against Reed and Holliday, November, 1839, for - - -	9140 00
Note no. 571 for $5000. Makers, Thos. J. Coffee, D. W. Haley, W. H. Shelton.	Judgment in Rankin against Coffee and Shelton, December, 1843, for - - - -	7612 50
Note no. 408 for $635 60. Makers, Thos. J. Coffee, Jno. W. King, D. W. Haley.	Judgment in Rankin against Coffee and King, December, 1843, for - - - - -	1072 43
*Note no. 235 for $4500. Makers, D. W. Wright, R. A. Patrick, H. G. Runnels.	Judgment, December, 1838, - -	5375 00

Note no. 219 for $3000. Makers, Nehemiah Magee, Jno. Long, Rice Wells, S. M. Puckett, J. A. Ferguson.	Judgment in Hinds against Magee, Long Wells, and Puckett, 29th June, 1837; for	3175 00
Note no. 138 for $1000. Makers, Jos Dawson, Wm. M. Gwin, W. Trahern, Upton Miller, G. R. Fall, J. P. Gilbert.	Judgment in Hinds against Dawson, Gwin, Trahern, Miller and Fall, 17th June, 1837, for - - - - - - - - -	1629 52
Note no. 48 for $6000. Makers, Thos. Holliday, J. B. Reed, W. McGraw, J. J. Holliday, M. Reynolds, E. D. Learned.	Judgment in Hinds against Tho's Holliday, Reed, McGraw, J. J. Holliday, 24th January, 1838, for - - - - -	6666 43
Note no. 238 for $5000. Makers, Jno. H. Mallory, H. K. Moss, H. G. Runnels, M. D. Patton.	Judgment in Hinds against Moss and Runnels, 4th June, 1840, for - - - -	7190 60
Note no. 297 for $3000. Makers, B. W. Benson, H. G. Runnels, M. D. Patton, John H. Mallory.	Judgment in Hinds against Runnels and Mallory, 10th February, 1842, for - -	4674 00
Note no. 333 for $1000. Messrs. J. S. Fall, G. R. Fall, Thos. Graves, Jno. Long, H. A. Hall, M. Wilson.	Judgment in Hinds against all makers, 7th October, 1840, for - - - - -	1275 00
†Note no. 325 for $2000. Makers, Paschal H. Magee, Stubblefield and Dougherty, G. E. Beauchamp, James T. Lane, Daniel Thomas, and William Thomas.	Judgment in Hinds against Magee, Stubblefield, Dougherty, and Beauchamp, 8th February, 1842, for - - - - -	3016 66

*—Credited as per Commissioners of Sinking Fund, by 5301 dols., balance of interest still due.
†—A small portion of this debt (interest) still due—contested.

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment, against whom rendered, and date.	Amount.
*Note no. 275 for $1000. Makers, E. T. Summers, John T. Knox, E. H. Watson, Robert Hughes.	Judgment in Hinds against David C Briggs adm'r de bonis non of John T Knox dec'd., June 20th, 1842, for - - - -	$1575 00
†Note no. 512 for $4500. Makers, R. A. Patrick, Robert Huges, W. C. Richards, H. G. Runnels.	Judgment in Hinds against all makers, 12th January, 1843, for - - - -	6652 50
Note no. 497 for $1000. Makers, Jordan Elder, John B. Peyton, H. C. Stewart, John A. Steele.	Judgment in Hinds against Elder, Peyton and Stewart, 12th January, 1843, for -	1150 00
Note no. 491 for $5000. Makers, H. K. Moss, R. A. Patrick, Charles Lynch.	Judgment in Hinds against all makers, 12th January, 1843, for - - - -	7376 25
Note no. 456 for $1500. Makers, H. B. Sutton, S. P. Baley, M. Wilson.	Judgment in Hinds against Baley and Wilson, 12th January, 1843, for - - -	2231 00
Note no. 444 for $2000. Makers, G. W. Terrell, G R Fall, Wm M Gwin, Geo Robinson, D W Haley.	Judgment in Hinds against Fall and Gwin, 12th January, 1843, for - - -	2633 00
Note no. 446 for $3000. Makers, W M Yates, G R Fall, W P Stone, G W Terrell, Geo S Menifee.	Judgment in Hinds against Fall and Stone, 12th January, 1843, for - - -	3960 00

Note no. 496 for $2000. Makers, Jno B Peyton, Jordan Elder, Hugh C Stewart, Wm O Chilton.	Judgment in Hinds against all makers, 12th January, 1843, for - - - - -	2640 00
Note no. 551 for $2250. Makers, Ira C Williams, H W Dunlap, B H Cook.	Judgment in Hinds against Williams & Cook, 25th January 1843, for - - -	2934 00
Note no. 513 for $2500. Makers, Jacob F Foute, H W Dunlap, E D Fenner.	Judgment in Hinds against Foute, 14th July, 1843, for - - - - - - -	3629 16
Note no. 574 for $4000. Makers, H A G Roberts, Rob't W Roberts, James McLaren.	Judgment in Hinds against H A G Roberts and Robert W Roberts, 14th July, 1843, for	5816 66
Note no. 198 for $2500. Makers, Robt Hughes, H K Moss, D C Young.	Judgment in Hinds against Hughes and Moss, 20th March, 1844, for - - -	4552 07
Note no. 400 for $3663. Makers, H W Dunlap, J E Black, Rob't Hughes.	Judgment in Hinds against Dunlap & Hughes, 20th March, 1844, for - - -	6115 80
‡Note for $2500. Makers, T B J Hadley, Jno A Grimball, R A Patrick, H K Moss.	Judgment in Hinds against Hadley, Grimball, and Patrick, 12th June, 1838, for -	2951 38

*—Suit against Watson & Hughes—Watson released, a payment of $500, and suit against Hughes, pending (in High Court.)

†—Suit against R. A. Patrick, F. S. Hunt, W. C. Richards, W. Yerger, Rob't Hughes, on writ of error, bond to recover amount of judgment, some of the parties good—pending.

‡—Suit against C. R. Clifton in special assumpsit on his liability to pay difference between $1600, but (in 1843) assumed by him, and $50 subsequent sale (in 1843) in consequence of his failure to pay—in High Court, believed to be good.

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment against whom rendered, and date.	Amount.
*Note no. 125 for $5000. Makers, F E Plummer, Hiram Coffee, Charles Lynch, Samuel M Puckett.	Judgment in Hinds against Sam'l M Puckett, Charles Lynch, Joseph W. Wade, H R Robertson, 28th June, 1839, for - -	$6489 59
	Damages high court, - - - - -	648 95
	(Judgment also against B W Walker, claimant of property levied on.)	
Note no. 231 for $4000. Makers, M. D Patton, George Finucane, Charles Lynch.	Judgment in Hinds against Finucane and Lynch: 28th June, 1842; for - -	6172 65
Note no. 296 for $2000. Makers, Hawkins & McDaniel, Davis & Wood, R. A. Patrick, H. K. Moss, George Finucane.	Judgment in Hinds against Davis & Wood, Patrick, Moss and Finucane: 28th June, 1842; for - - - - -	3000 00
Note no. 257 for $4000. Makers, Mayson & Mallory, Charles Lynch, George Finucane.	Judgment in Hinds against John H Mallory. Lynch and Finucane: 13th July, 1842; for	6440 47
Note no. 255 for $1800. Makers, Charles C. Mayson, H. K. Moss, J. Long, W. M. Gwin.	Judgment in Hinds against Moss, Long and Gwin: 28th June, 1842; for - -	2695 00
Note no. 323 for $1200. Makers, A. K. McClung, W. P. Stone, M. Wilson.	Judgment in Hinds against all makers: 28th June, 1842; for - - - -	1618 00
Note no. 326 for $1500 Makers, H. J. Munson, G. D. Boyd, J. H. Boyd.	Judgment in Hinds against James H. Boyd: June, 1842; for, say - - -	1348 00

Note no. 559 for $5000. Makers, H. G. Runnels, H. K. Moss, R. A. Patrick.	Judgment in Hinds against makers: 2d July, 1845; for - - - -	8186 33
Note no. 560 for $5000. Makers, H. G. Runnels, H. K. Moss, R. A. Patrick.	Judgment in Hinds against makers: 2d July, 1845; for - - - -	8186 33
†Note no. 561 for $12,013. Makers, H. G. Runnels, R. A. Patrick, H. K. Moss, Wm. M. Gwin, T. B. J. Hadley.		
Note no. 334 for $3500. Makers, G. R. Fall, W. M. Yates, E. R. Anderson, Jno. E. Richardson, V. E. Howard.	Judgment in Hinds against Fall and Howard, 184 ; for - - - - (Amount of judgment not recollected, and have not time to apply to clerk's office to obtain amount thereof.)—Nulla bona.	
‡Note no. 52 for $917, dated Jan'y 1st, 1834, at 12 months. Makers, L. Reno, J. W. Pipes, H. N. Fleming, P. J. Williams, T. B. Hadley.		

*—Suit on bond made by B. W. Walker, with P Cohea & F. S. Hunt as sureties for trial of right of property to the value of between $3000 and 4000, taken in case of Walker—in High Court, some of the parties good.

†—Suit pending in Hinds Circuit Court—Judgment delayed for the reason that note is not filed in papers, and can obtain no information thereof from Mr. H. D. Mandeville, jr., attorney for late Commissioners of Sinking Fund, who receipted therefor to them.

‡—This note delivered by other Commissioners of Sinking Fund to John H. Mallory, Auditor and ex-officio Commissioner of Sinking Fund.—A note by same parties, same amount, but of different date, (March 11th, 1833, at 12 months,) is contained in receipt of Buckner & Learned, attorneys, received from John

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment, against whom rendered, and date.	Amount.
†Note no. 300 for $2500. Makers, W. B. Woodley, James Talbot, W. W. & D. C. Young, R. Cordell, C. Lynch.		
Note no. 357 for $3000. Makers, A. M. Williamson, John S. Gooch, Wm. M. Gwin.	Judgment in Madison against makers: May, 1842; for - - - - -	$4600 00
Note no. 176 for $2500. Makers, W. H. Fleming, J. F. H. Claiborne, H. K. Moss.	Judgment in Madison against makers: 7th May, 1838; for - - - -	3099 99
	Judgment in Madison against Wm Fleming, H K Moss: 18th May, 1838; for -	1120 43
‡Note no. 412 for $2423. Makers, D. W. Haley, B. Haley, J. A. Hackett.	Judgment in Madison against John Dean, ex'r of B Haley, dec'd: 21st April, 1847; for	4501 45
Note no. 259 for $1500. Makers, Alex. Smith, Robert Moore, W. Dorsey, Thos. W. Scott.	Judgment in Yazoo, May 1841, for defendants; (Parties insolvent.)	
§Note no. 435 for $1500. Makers, D. Wright, Andrew Weir, Henry Dickerson.	Judgment in Lowndes against Weir and Dickerson: 3d October, 1843; for -	2208 00
Note no. 569 for $8000. Makers, Thos. Land, Wm. H. Johnson, W. W. Walton.	Judgment in Holmes against makers: 28th October, 1841; for - - - -	9239 52

Note no. 568 for $5000. Makers, Thomas T. Land, ex'r of Charles Land, dec'd, Thomas Land, Wm. H. Johnson.	Judgment in Holmes against T T Land, Wm H Johnson: 22d April 1842; for -	6208 37
Note no. 570 for $2000. Makers, Wm. H. Johnson, Thomas Land, W. W. Walton.	Suit in Holmes—plea of non est factum, and non suit: 25th October, 1843.	
Note no. 501 for $3300. Makers, Jas. Catling, L. G. Galloway, James Stegler.	Suit in Holmes and judgment for defendants, 25th October, 1843.—(Papers missing from clerk's office so that case could not be brought up to High Court.)	
‖Note no. 513 for $1500. Makers, R. Irvine, A. B. Saunders, G. W. Redman.	Suit pending in Panola.	
¶Note no. 452 for $1000. Makers, T B Hill, Thos G Hudspeth, Byrd Hill.	Judgment in Panola against T B Hill: 23d April, 1847; for - - -	1912 50

H. Mallory, Auditor, and reported to me by Robert H. Buckner, Esq., as suit brought but afterwards dismissed, as he presumed, under some arrangement with the Commissioners of Sinking Fund. If this be not the note, and from its date it would seem not, I know not what has become of it.

†—Placed in hands of Robt Hughes, Esq., att'y, by Commissioners of Sinking Fund in 1838. Judge Hughes responsible for this note—see his letter to committee of Legislature—Senate Journal of 1844.—Suit pending in High Court.

‡—In High Court. Debt believed to be good.

§—New note executed by Henry Dickerson and James T. Harrison for $2700, as authorized by act of the Legislature of 1846. Debt believed to be good.

‖—Believed to be good.

¶—Regarded as good.

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment, against whom rendered, and date.	Amount.
Note no. 457 for $1000. Makers, John Rayburn, Thos B Ives, Saml B Marsh.	Judgment in Panola against Rayburn: 6th November, 1846; for - -	$1866 75
Note no. 458 for $1000. Makers, G P Anderson, David Miles, John Rayburn.	Judgdment in Panola against Anderson and Rayburn: 6th November, 1846; for	1866 75
Note no. 540 for $1750. Makers, Barry Gillespie, Byrd Hill, C Kyle.	In hands of attorney for suit. Makers reside out of the State.	
*Note no. 461 for $500. Makers, George W Redman, John Rayburn, Richard Irvine.	Judgment in Carroll against Rayburn and Irvine: 12th May, 1847; for - - (In High Court.)	959 60
Note no. 330 for $1500. Makers, J K Hall, G D Boyd, J H Boyd.	(Suit pending.)	
†Note no. 495 for $2000. Makers, A G McNutt, W H Sims, W H Paxton, A M Paxton.	(In High Court.)	
‡Note no. 597 for $3,333 33⅓. Makers, W R Campbell, J M Gilmore, W L Sharkey.	(In High Court.)	
§Note no. 401 for $2400. Makers, B Harris, Wm L Moore, W H & C Welsh, A Carns.	Judgment in Lowndes against ————————, 1846 or 7, for - - - - - (Am't of judgment not known and not time to apply to clerk's office to obtain am't thereof.)	

Note no. 188 for $5000. Makers, B Harris, W Barnes, T Pleasant, A F McLean, John Speed.	(Suit pending in Copiah.)
Note no. 360 for $2200. Makers, H Alsbury, T P Falconer, J J McRae, John Watts.	(Suit pending in Clarke.)
Note no. 321 for $800. Makers, Lewis White side, French C Dulany, Robert Burton.	(Not sued upon—parties insolvent. This note was returned to the Commissioners of the Sinking Fund, Dec. 8th, 1840, by attorney, in whose hands placed by them, and makers reported as insolvent.)
Note no. 34 for $750. Makers, Lewis Reno, C C Mayson, G Finucane.	Not sued upon—no att'y would take it upon the terms allowed by the law. To sue would only have involved the fund in the costs.—Parties insolvent.
Note no. 923 for $1200. Made by A B Shelby, payable to Daniel Comfort or order, and endorsed by D Comfort, Thos C Nelson, Wm M Gwin, Saml Gwin, Sarah D Terry.	(Same remarks applicable to this, as to note no. 31.)

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*—Debt believed to be good.
†—Regarded as good.
‡—Regarded as good.
§—Part of this debt, it is believed, will be saved

ABSTRACT of Notes and Judgments due to the Sinking Fund.

Description of Notes.	Judgment, against whom rendered, and date.	Amount.
*Note —— for $400. Makers, J L Stubblefield, H R Hall, G R Fall, H A Hall.		
*Note —— for $1350. Makers, H R Hall, H G Runnels, R A Patrick.		
*Note —— for $1350. Makers, Dameron & Pratt, Geo C Dameron, J H McRaven, Wm M Gwin.	(Placed in hands of attorney for suit.)	
†Note no. 567 for $340. Makers, Murdock McDuffie, M Gilchrist, A McDuffie.	Judgment in Jefferson against McDuffie and Gilchrist: April term, 1847; for	$616 26
‡Note no. 590 for $3334. Makers Emily Joor, B H Barrow, for George Joor, by Moses Liddell, att'y, P H Joor.	Judgment in Wilkinson against E Joor, Geo Joor, and Peter H Joor: 16th Dec. 1846; for	3747 20

*—These three notes were found by me among some papers in the Auditor's office. They are believed to be renewals of notes rec'd by J. H. Mallory, Aud'r and ex-officio Com'r S'g F'd, from the other Com'rs, and are supposed to have been left by the commitee of the Legislature, who investigated his acc'ts in 1838. The last note (Duncan & Pratt) was placed in hands of att'y for suit; others not sued on: No att'y would receive them upon the terms allowed by the law. To sue would only have involved the fund in the costs.

†—Collected as advised by attorney and now in his hands—Not yet paid over.

‡—Collected as advised by attorney and now in his hands—Not yet paid over.

GENERAL SUMMARY.

Page 1	Am't of judgent,	$ 7,484	69
" 2	" do	40,647	48
" 3	" do	29,903	81
" 4	" do	26,844	63
" 5	" do	28,402	68
" 6	" do	33,754	17
" 7	" do	26,615	84
" 8	" do	32,204	48
" 9	" do	16,879	57
" 10	" do	24,168	26
" 11	" do	24,010	55
" 12	" do	18,984	75
" 13	" do	15,796	16
" 14	" do	26,574	45
" 15	" do	21,274	12
" 16	" do	16,372	66
" 17	" do	13,321	87
" 18	" do	15,447	89
" 19	" do	6,605	60
" 20	" do	4,363	40
		431,242	06

NOTES.

*Note No.	561,	page	16	for	- - -	$ 12,013 00
" "	334,	"	16	"	- - -	3,500 00
" "	300,	"	16	"	- - -	2,500 00
"	Dickinson & Hamson,		page	18,	- -	2,700 00
"	No. 570		page	18	for - - -	2,000 00
" "	513	"	18	"	- - -	1,500 00
" "	540	"	19	"	- - -	1,750 00
" "	330	"	19	"	- - -	1,500 03
" "	495	"	20	"	- - -	2,000 00
† " "	597	"	20	"	- - -	3,333 30
" "	401	"	20	"	- - -	2,400 00
" "	188	"	20	"	- - -	5,000 00
" "	360	"	20	"	- - -	2,200 00
" "	321	"	20	"	- - -	800 00
" "	34	"	20	"	- - -	750 00
" "	923	"	20	"	- - -	1,200 00
"		"	20	"	- - -	400 00
"		"	20	"	- - -	1,350 00
"		"	20	"	- - -	1,350 00
						$ 48,246 33

*—Amount of judgment not recollected.
†—Amount of judgment not known

The bill reported by the select committee last aforesaid,
To be entitled,
An act to abolish the office of State commissioner, and for other purposes,
Was read the first time.

On motion of Mr. Labauve,
The report was received.

On motion of Mr. Labauve,
The report was agreed to.

On motion of Mr. Labauve,
The constitutional rule was suspended,
And the bill was read the second time forthwith, by title.

On motion of Mr. Guion,
The blank in said bill was filled with fifteen thousand dollars.
Mr. Stone offered the following amendment, to wit:
Amend 4th section by adding "to be paid out of the Seminary and Sinking fund;"
Which was adopted.

On motion of Mr. Labauve,
The bill as amended, was considered as engrossed, the rule suspended, and the bill read the third time and passed.

Mr. Stone offered the following amendment by way of ryder:
Amend by adding an additional section by way of ryder:
Section —, *Be it further enacted*, that hereafter all suits for the recovery of claims due the Sinking and Seminary funds, shall be in the name of the State Treasurer, for the use of said respective funds;
Which was adopted;
And said bill with its ryder, put on its final passage and passed:
Ordered, that the title thereof be as stated.

The following message was received from his Excellency, the Governor, through his private Secretary, to wit:

Mr. President—I am instructed by his Excellency, the Governor, to inform the Senate that he has approved and signed the following bills, to wit:

An act to incorporate the town of Charleston, in the county of Talahatchie;
An act for the benefit of the Aberdeen Female academy;
An act to attach the counties of Claiborne and Simpson to the

Southern District Chancery Court of the State of Mississippi;

An act to incorporate the Raymond Female Institute;

An act for the relief of the sheriff or tax collector of Monroe county;

An act to define the duties of the board of county police of Tippah county, and for other purposes;

An act to legalize the sale of the sixteenth section, township six, range sixteen east, in the county of Lauderdale;

An act to confer on John W. Snodgrass, a minor, certain privileges;

An act authorizing Robert Robson and Edwin E. Armstrong of Talahatchie county, to construct a turnpike road in said county;

Approved February 28th, 1848.

I am also instructed to deliver to the Senate a message in writing.

The following messsage was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed A bill to be entitled,

An act to regulate the public printing;

In which I am instructed to desire the concurrence of the Senate.

And have also passed a bill from the Senate, entitled,

An act to aid in the establishment of an institution for the instruction of the blind.

Mr. Boone, from the joint standing committee on State and Federal relations, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on State and Federal relations, to whom was referred that part of the Governor's message relating to the war between the government of the United States and Mexico, have had the same under consideration, and have instructed me to report the following preamble and resolutions, and recommend their adoption:

Your committee have given the subject committed to them, that anxious consideration which its importance demands—an importance much enhanced by the circumstances and condition in which our common country is placed. It is not the object or purpose of the committee to enter into an extended investigation of the war in which we are unhappily engaged with Mexico. The facts necessary to the formation of a correct individual, and sound public opinion, in relation to the causes of the war, and the quarter in

which a just responsibility for its commencement rests, have been spread before the country.

When a popular government is engaged in war, it is the war of the people; and it is a just cause of gratification that the people of Mississippi are not only well informed upon the causes and character of the war in which we are engaged, but, that in their deliberate judgment, it was begun by Mexico, after every proper effort on the part of our government to preserve peace, had been exhausted —that having been forced upon us by the infatuation or misguided counsels of Mexico, we should be recreant to our duty, unworthy possessors of the rich legacy of liberal principles and free government, transmitted to us by our fathers, if we should shrink from the further prosecution of the war, until we have humbled the enemy, and compeled him to consent to such terms of peace as may accord with our rights and honor. These, we believe, are the calm, deliberate conclusions of the people of Mississippi. The Legislature, at its present session, has contributed aid and comfort to the gallant volunteers from this State, now in Mexico, or on the way to the enemy's country, in the liberal appropriation of $15,000, which we feel assured will meet the approbation of the great mass of the people of our State. The people have availed themselves of the voluminous published documents, and the frank, candid and able message of the President, in relation to the war, and they are satisfied that every consideration of patriotism, demands of Congress prompt and liberal appropriations of men and money, for its vigorous prosecution, as the only means of securing a speedy and honorable peace. They are also satisfied of the justice of our cause, and while they approve the appropriations made by the Legislature, they would hail with rejoicing, the prompt action of Congress, to whom the duty rightfully belongs of supplying men and money.

It is a libel on the people of the State to suppose that they would sanction wrong and outrage, upon a weak and offending nation by sending aid to our soldiery, to encourage them in the continued infliction of that wrong. If the war was wrong in its inception, unnecessarily begun and prosecuted for unholy objects, it is an insult to common sense and common honesty, to say, that to persist in the wrong can make it right or honorable. With nations as with individuals, all the honor lies in acting well their part. And

we are incapable of seeing and appreciating that nice distinction either in reason, in logic, or in morals, which declares the war unjust and infamous, disgraceful to the President, and yet awards honors to those who have voluntarily sought the field of battle and have distinguished themselves by deeds of valor. If the war be one of oppression and injustice, waged against a weak and unoffending nation, then are our volunteers a banditti of marauders and murderers, and instead of receiving the plaudits of a grateful people for their gallantry in the service of their country, they will reap in after times, the execrations of mankind.

Your committee have seen with alarm the delay of Congress, in furnishing the means called for by the President, for continuing the war and taking possession of the strong holds of the enemy's country. We also view with deep regret, the opponents of the war, actuated by that slavish devotion to party which quenches the sacred fire of patriotism—which sympathises with the common enemy, which sees nothing but corruption and misrule in our faithful public servants—which is even seeking pretexts for giving judgment against its own country, and in favor of the enemy—which would blot the government of the United States from that high position which it occupies on the scroll of fame—which regards the glorious achievements of our arms as national barbarities, and which for the advancement of party purposes, is willing to see our victorious armies retire, our conquests abandoned and our country disgraced.

Resolved, that in the opinion of this legislature, the war with Mexico was begun by that Republic in the attempted enforcement of her threats to subjugate the State of Texas, and to wrest said State from the American confederacy after the annexation of that State to this Union had been effected in conformity with the sovereign will of her government and people.

Resolved, that it was the constitutional duty of the President as Commander-in-Chief of the Army and Navy, to repel the threatened invasion of Texas, and when the first blow was struck by Mexico, to carry the war into the enemy's country.

Resolved, that the war has been conducted with wisdom, energy and a just regard to the principles of humanity and rules of civilized war; that in the opinion of this legislature, the true policy of our government, and that by which the administration has been

guided, is "the policy that looks to peace as the end of war, and to war as the end of peace."

Resolved, that in the opinion of this legislature, the unceasing efforts of the whig presses and orators (in and out of Congress,) to convict the government of their country of waging an unjust and unnecessary war upon a weak and unoffending nation, have a tendency to prolong the contest by encouraging Mexico to refuse our repeated offers of peace, and to hope for the overthrow of the party in power, the withdrawal of our troops and the termination of the war.

Resolved, that the most certain means of securing a speedy and honorable peace, is to manifest to the enemy our determination to prosecute the war vigorously; that this can only be done by prompt supplies of men and money; and in view of a truth so clear and incontestable, this legislature have witnessed with deep regret and mortification the neglect by Congress of a solemn duty demanded by every consideration of patriotism and a proper regard for the best interests of our common country.

Resolved, that in the opinion of this legislature, the war has been prosecuted in vindication of our just rights and honor—to obtain indemnity for past wrongs, and security against future aggressions, and with no purpose or desire on the part of the President to destroy the nationality of Mexico.

Resolved, that it is the deliberate opinion of this legislature, had the opposers of the present administration been actuated by the same patriotic spirit and devotion to their country that animated our officers and soldiers engaged in the war, peace would have long since been restored, streams of precious blood saved, and millions of treasure.

Resolved, that the Governor be requested to forward copies of these resolutions to each of our Senators and Representatives in the Congress of the United States.

On motion of Mr. Boone,

The report was received.

On motion of Mr. Labauve,

The report was agreed to.

Mr. Kennedy, from the joint standing committee on finance, made the following report, to-wit:

Mr. President—The standing committee on finance to whom

was referred, so much of Governor Brown's message as relates to the securities of Richard S. Graves, late Treasurer of the State, have had the same under consideration, and a majority of the committee instruct me to report herewith by bill.

The bill reported entitled,

An act to enable the Governor and Attorney General of the State of Mississippi, to settle and compromise with the securities of Richard S. Graves, late Treasurer of this State;

Was read the first time.

Mr. Kennedy moved to receive and agree to the report.

Mr. White called for a divison of the question;

The question was first had upon the reception of the report;

Which was decided in the affirmative.

On motion of Mr. Kennedy,

The report was agreed to.

On motion of Mr. Kennedy,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. White moved to lay said bill on the table;

Which was lost.

On motion of Mr. Kennedy,

The bill was considered as engrossed, and the rule was further suspended, and the bill was read the third time forthwith.

Mr. White offered the following amendment by way of ryder, to-wit:

Provided, that the securities or any one of them shall not be worth the amount of the bond;

Which was lost.

And said bill put on its final passage and passed:

Ordered, that the title thereof be as stated.

Mr. Singleton called for the consideration of a bill from the House of Representatives, to be entitled;

An act further to amend the several laws of the State in relation to courts of probate;

And said bill with the several amendments made by the committee on the judiciary, was read.

The question was had on the adoption of the first amendment reported by said committe;

Which was decided in the affirmative.

The question was had on the adoption of the second amendment,

Which was lost.

The question was next had on the adoption of the third amendment;

Which was decided in the affirmative.

The question was next had on the adoption of the fourth amendment with the proviso thereto;

Which was decided in the affirmative.

The question was next had on the adoption of the fifth amendment;

Which was decided in the affirmative.

On motion of Mr. Guion,

The several amendments were considered as engrossed,

The rule suspended,

And the bill as amended read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

To the Senate:

I nominate Shadrack J. Denson of Scott county, Wm. C. Harper of Rankin county, James Watts of Jasper county, C. M. Price and Benj. G. Weir of Hinds county, Commissioners under the provisions of an act, entitled an act, to extend the Railroad eastwardly beyond Jackson.

Approved February 24th, 1848.

J. W. MATTHEWS.

EXECUTIVE CHAMBER,
February 29th, 1848.

On motion of Mr. McDugald,

The Senate went into secret session with open doors on said message; and the message of his Excellency the Governor, reported on the 18th of February instant, nominating Inspectors of the Penitentiary.

Mr. Labauve moved to concur in the nominations in the first above named message.

Pending the motion.

On motion of Mr. Gray,

The further consideration thereof was postponed.

On motion of Mr. Guion,

The further consideration of the message nominating Inspectors of the Penitentiary was postponed.

On motion of Mr. Guion,

The secret session was dissolved.

Mr. Sharpe moved a recess until 3 o'clock P. M.;

Which prevailed.

THREE O'CLOCK, P. M.

The recess having expired,

The Senate met.

Mr. Greer asked and obtained leave to the introduction of

A bill to be entitled,

An act to amend an act, to establish a system of common schools and for other purposes, approved 4th March, 1846;

Which was read the first time.

On motion of Mr. Greer,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Greer,

The bill was considered as engrossed, and the rule further suspended,

And the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Sharpe asked and obtained leave to the introduction of

A bill to be entitled,

An act to repeal an act, supplemental to an act, entitled an act to establish a system of common schools and for other purposes, approved 5th March, 1846, as far as the same relates to Lexington Homes county;

Which was read the first time.

On motion of Mr. Sharpe,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Sharpe,

The bill was considered as engrossed,

The rule was further suspended,

And the bill read the third time forthwith, and passed;

Ordered, that the title thereof be as stated.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to authorize Daniel B. Nailor, his heirs and assigns, to build a Turnpike road across Big Black swamp in the county of Warren and State of Mississippi, from the ferry known as Baldwins' ferry, to Regan's Island;

An act requiring the treasurer of Pontotoc and Lafayette counties, to loan the school fund of said counties.

And have found the same correctly enrolled.

The following message was received from the House of Representatives, through their Clerk, to wit:

Mr. President—The House of Representatives have passed the Senate bill, to be entitled,

An act concerning the Code of Mississippi;

And have made sundry amendments thereto.

In which I am instructed to desire the concurrence of the Senate.

Mr. President—The House of Representatives have passed a Senate bill entitled,

An act to regulate the proceedings in justices courts in certain cases;

And have made an amendment thereto.

In which I am instructed to desire the concurrence of the Senate.

Mr. Kennedy asked and obtained leave to the introduction of A bill to be entitled,

An act to amend the road laws of this State now in force;

Which was read the first time.

On motion of Mr. Kennedy,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On motion of Mr. Catching,

Said bill was laid on the table.

Mr. Wilborne called for the consideration of a bill on the orders of the day, to be entitled,

An act to provide compensation for registering the five hundred thousand acres of land;

Which was read the second time forthwith.

On motion of Mr. Wilborne,

The bill was considered as engrossed,

The rule further suspended,

And the bill read the third time and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have adopted the following joint resolution:

Resolved, (the Senate concurring), that Henderson Ray of Yalobusha county, be added to the joint standing committee on internal improvements;

In which I am instructed to desire the concurrence of the Senate.

Mr. President—The House of Representatives have passed bills of the following titles, to-wit:

A bill to be entitled,

An act to amend an act entitled an act in relation to the Reporter of the High Court of Errors and Appeals;

A bill to be entitled,

An act to repeal the sixty-sixth section of an act entitled an act to amend and reduce into one, the several acts in relation to the revenue of this State, and for other purposes, approved February 24th, 1844;

In which I am instructed to desire the concurrence of the Senate.

The Senate proceeded to the consideration of the orders of the day.

The report of the joint standing committee on elections, was called up as the unfinished business of yesterday.

Mr. Briscoe offered the following resolution as a substitute for the resolution offered by Mr. Guion on yesterday, to-wit:

Resolved, that the following named Senators, who were elected at the last general election, shall constitute a part of the first class, viz: Messrs. Singleton, Harrison, Stewart, Sharpe, Lake, Greer, White and Hodges, whose term of office will expire in two years from the time of their election;

Pending the discussion thereon,

Mr. Briscoe moved an adjournment;

Which was lost.

Mr. Labauve moved a recess until half-past seven o'clock, P. M.;
Which prevailed.

HALF AFTER 7 O'CLOCK, P. M.

The recess having expired,
The Senate met.
On motion of Mr. Wilborne,
The Senate concurred in the joint resolution from the House of Representatives, adding Henderson Ray of Yalobusha county, to the joint standing committee on internal improvements.

The Senate resumed the consideration of the report of the committee on elections.

Mr. Alcorn, on his motion,
Was excused from attendance during the evening.
Mr. Harrison, on his motion,
Was excused from attendance during the evening.
Mr. Sharpe offered the following resolution, to-wit:

Resolved, that the report of the committee on elections, with the accompanying resolutions, be referred to a committee composed of the following named gentlemen: Messrs. Boone, Dabney, Greer, Harrison, Johnson, Lake, Pegues, Wilborne and Labauve, and the twenty-one Senators interested, shall be governed by their decision.

Mr. Cannon offered the following resolution as a substitute for the resolution of Mr. Sharpe, which was accepted by Mr. Sharpe:

Resolved, that delicacy forbids interested Senators voting in their own individual cases, and therefore each Senator would prefer the eleven Senators whose terms expire, shall report to this body the proper course to be pursued, and their decision shall be acquiesced in.

On motion of Mr. Catching,
The accepted substitute was laid on the table.
Mr. Cannon called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Beene, Carter, Catching, Davis, Guion, Hodges, McDugald, McAffee, Pegues, Pettus, Ramsay, Singleton, Stewart and Stone—14 votes.

NOES—Mr. President, Messrs. Boone, Bradford, Briscoe, Cannon, Gray, Greer, Johnson, Lake, Labauve, Sharpe and Wilborne—12 votes.

The question next occurred on the resolution of Mr. Guion.

Mr. Briscoe moved a call of the Senate;

Which was had.

On motion of Mr. Ramsay,

The absentees were sent for.

On motion of Mr. Boone,

Mr. Price, the honorable Senator from the county of Tippah, had leave of absence granted him during the remainder of this session.

The absentees appearing,

The further call was suspended.

Mr. Sharpe offered the following amendment to the resolution of Mr. Guion:

Add to the last class, Messrs. Guion, Stone and Ramsay.

On motion of Mr. Labauve,

Said amendment to the resolution was laid on the table.

The question was thereupon had on the resolution of Mr. Guion;

Which was lost.

Mr. Guion called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Cannon, Greer, Guion, Harrison, Lake, Labauve, Pegues, Stone and White—11 votes.

NOES—Messrs. Alcorn, Beene, Bradford, Briscoe, Carter, Catching, Davis, Dabney, Gray, Hodges, Johnson, Kennedy, McDugald, McAffee, Pettus, Ramsay, Singleton, Sharpe, Stewart and Wiborne—20 votes.

On motion of Mr. Greer,

Ordered, that his name be struck out of the resolution of Mr. Briscoe.

The question was forthwith had on the resolution last named;

Which was lost.

Mr. Guion called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Beene, Bradford, Briscoe, Cannon, Carter, Greer, Harrison, Johnson, Kennedy, McDugald, Ramsay, Stone and Wilborne—13 votes.

NOES—Mr. President, Messrs. Alcorn, Boone, Catching, Davis, Dabney, Gray, Guion, Hodges, Lake, Labauve, McAffee, Pegues, Pettus, Singleton, Sharpe, Stewart and White—18 votes.

Mr. Catching offered the following resolution, to-wit:

Resolved, that it is the sense of this Senate that the twenty-one new Senators upon this floor, hold their seats by the same tenure, and that to keep up the proper classification under the constitution, it is necessary that the whole number of twenty-one shall submit to a draft, to ascertain to which classification they respectively belong.

Mr. Greer offered the following resolution as a substitute for the last named resolution, to-wit:

Resoved, 1*st*, *by the Senate*, that any Senator who was elected at the last election, from a district which was not altered by the apportionment law of 1846, shall retain the same classification as his predecessor.

Resolved 2*d*, that any Senator elected from a district which was altered by the apportionment law of 1846, shall be classed according to the classification of the Senator or Senators who formerly represented such district.

Resolved 3*d*, that any Senator elected from a district which was altered by the apportionment law of 1846, a portion of which elected a Senator of the first class, and the other portion a Senator of the second class, such Senator shall determine to which class he belongs by drawing; such classification to leave sixteen Senators whose tenure of service shall end in 1849, and sixteen Senators whose tenure of service shall end in 1851.

Mr. Labauve moved to lay said resolutions on the table;

Which was lost.

Mr. Briscoe called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Messrs. Alcorn, Boone, Catching, Davis, Dabney, Gray, Hodges, Labauve, Singleton, Sharpe, Stewart and White—12 votes.

Noes—Mr. President, Messrs. Beene, Bradford, Briscoe, Cannon, Carter, Greer, Guion, Harrison, Johnson, Kennedy, Lake, McDugald, McAffee, Pegues, Pettus, Ramsay, Stone and Wilborne —19 votes.

On motion of Mr. Guion,

Ordered, that the vote be taken separately on each of the last named resolutions of Mr. Greer.

The question was had on the first resolution;

Which was adopted.

Mr. Guion called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Beene, Bradford, Briscoe, Cannon, Carter, Greer, Guion, Harrison, Johnson, Kennedy, Lake, Labauve, McDugald, Pegues, Stone, White and Wilborne—18 votes.

Noes—Messrs. Alcorn, Boone, Catching, Davis, Dabney, Gray, Hodges, McAffee, Pettus, Ramsay, Singleton, Sharpe and Stewart —13 votes.

The question was next had on the second resolution;

Which was adopted.

Mr. Boone called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Greer, Harrison, Johnson, Kennedy, McDugald, McAffee, Pegues, Ramsay, Stone and Wilborne—17 votes.

Noes—Messrs. Alcorn, Catching, Davis, Dabney, Gray, Guion Hodges, Lake, Labauve, Pettus, Singleton, Sharpe, Stewart and White—14 votes.

The question was next had on the third resolution;

Which was lost.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Greer, Harrison, Johnson, McAffee, Pegues, Ramsay and Stone—14.

Noes—Messrs. Alcorn, Catching, Davis, Dabney, Gray, Guion, Hodges, Kennedy, Lake, Labauve, Pettus, Singleton, Sharpe, Stewart, White and Wilborne—16 votes.

Mr. McDugald, on his motion,

Was excused from voting on the last named resolution.

Mr. Sharpe offered the following resolution, to-wit:

Resolved, that all Senators elected to fill a new district in which there was a Senator, shall be entitled to his seat for four years, the same as those filling an old district.

Mr. Lake offered the following amendment to the resolution, to-wit:

Provided they draw for it, and it is so determined by lot.

On motion of Mr. Ramsay,

Said resolution and the amendment was laid on the table.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Carter, Gray, Greer, Guion, Harrison, Kennedy, McDugald, McAffee, Ramsay, Stone, White and Wilborne—18 votes.

Noes—Messrs. Alcorn, Catching, Davis, Dabney, Hodges, Johnson, Lake, Labauve, Pegues, Pettus, Singleton, Sharpe and Stewart—13 votes.

Mr. Greer offered the following resolution, to-wit:

Resolved, that any Senator who was elected at the last election, shall be classed according to the classification that the largest portion of his district had previous to the apportionment law of 1846.

On motion of Mr. Sharpe,

Said resolution was laid on the table.

Mr. Ramsay moved an adjournment,

Which was lost.

On motion of Mr. Dabney,

The Senate adjourned.

WEDNESDAY, March 1, 1848.

The Senate met pursuant to adjournment.

The journal of Yesterday was read.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The Speaker of the House of Representatives has signed:

An act to aid in the establishment of an institution for the instruction of the blind;

Which is herewith presented to the Senate for the signature of the President.

The President signed the act in said message mentioned.

The Senate resumed the consideration of the report of the joint standing committee on elections.

Mr. Ramsay moved to reconsider the vote laying the last reso.

lution on the report of the committee on elections, offered on yesterday by Mr. Greer, on the table;

Which motion prevailed.

Mr. Ramsay moved the adoption of said resolution forthwith.

Pending the discussion thereon,

Mr. Lake offered the following resolution as a substitute for the resolution offered by Mr. Greer, viz;

Whereas, by the apportionment bill of 1846, seventeen senatorial districts were changed, which are now represented by seventeen Senators chosen at the last general election, and fifteen districts were unchanged by this bill, four of whose Senators were elected at the last general election, and eleven were elected at the general election preceding the last: the whole number of districts is the same as it was before the apportionment bill, and of course the whole number of Senators is the same; And whereas, the constitution requires that the whole number of Senators shall be divided into two classes, in order that only one-half shall vacate their seats at the same time:

Now be it resolved, that the supreme court be requested to advise the Senate, 1st, whether under the above state of facts there is, by the constitution, any classification of Senators at this time, and if any, who can be considered as classed? 2d. If any are unclassed whether the constitution points out how those that are not classed shall be classed, and the mode indicated.

Mr. Gray offered the following amendment to the substitute:

"And also, if a senatorial district before the apportionment bill of 1846 consisted of three or more counties, one of which was by said bill added to another senatorial district, would such first mentioned district be so changed as to vacate the seat of the Senator elected from that district and resident therein, or would it be such a change as would make such district a new additional senatorial district in the meaning of the constitution;"

Which was adopted.

The question was had on the substitute offered by Mr. Lake;

Which was decided in the affirmative.

Mr. Briscoe called for the ayes and noes, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Alcorn, Bradford, Cannon, Catching, Davis, Gray, Guion, Harrison, Hodges, Lake, Labauve, Mc-

Dugald, Pegues, Pettus, Singleton, Sharpe, Stewart and White—19 votes.

Noes—Messrs. Boone, Beene, Briscoe, Carter, Dabney, Greer, Johnson, Kennedy, McAfee, Ramsay, Stone and Wilborne—12 votes;

Mr. Pettus offered the following resolution, to-wit:

Resolved, that the judges of the supreme court be requested to advise the Senate whether we can go behind the apportionment law of 1846, to enquire what was the condition of senatorial districts;

Which was adopted.

On motion of Mr. Lake,

A committee of two was appointed to communicate the said resolutions.

Messrs. Lake and Greer, were appointed said committee.

Mr. Alcorn presented the petitions of William M. Brown and Robert Jarvis;

Which were read;

And accompanied said petitions with the following resolution, to-wit:

Resolved, that the petitions just read be referred to a select committee of three, with instructions to report a bill securing to the settler now residing upon any of the State or school lands, the right to enter one quarter section of the same at the minimum price, as placed by bills passed at the present session of the Legislature, for the disposition of the same;

Which was adopted.

Messrs. Alcorn, White and Stone, were appointed said committee.

Mr. Alcorn called for the ayes and noes, on the adoption of said resolution, which are as follows, to-wit:

Ayes—Messrs. Alcorn, Carter, Catching, Dabney, Gray, Johnson, Kennedy, Lake, Labauve, McDugald, McAfee, Pegues, Pettus, Sharpe, Stewart and White—16 votes.

Noes—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Davis, Greer, Guion, Harrison, Hodges and Singleton—12 votes.

The following message was received from his Excellency, the Governor, through his private Secretary, to-wit:

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act for the relief of James M. Wynn, sheriff and tax collector of Lowndes county, for the year 1846;

An act supplementary to an act entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846;

Approved February 29th, 1848;

An act to incorporate the Hernando and Mississippi Rail Road Company;

An act requiring the treasurer of Pontotoc and Lafayette counties to loan the school fund of said counties;

An act to exempt from sale under execution the libraries of Ministers of the Gospel, and for other purposes;

Approved March the 1st, 1848.

Mr. Guion called for the consideration of the amendments made by the House of Representatives, to a bill from the Senate to be entitled,

An act concerning the code of Mississippi;

Which were read.

On motion of Mr. Guion,

Ordered, that the vote be taken separately on the several amendments.

The question was had on a concurrence with the first amendment;

Which prevailed.

The question was next had on concurring with the second amendment, as an additional section;

Which prevailed.

The question was had next on the third amendment;

Which was lost.

On motion of Mr. Labauve,

The fourth amendment was concurred in.

Mr. Labauve called for the consideration of the amendment made by the House of Representatives, to a bill from the Senate, to be entitled,

An act to take the sense of the people of the State of Mississippi on the propriety of calling a convention to amend the constitution of the State;

Which was read; and

On motion of Mr. Labauve,

Concurred in.

Mr. Carter called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Cannon, Dabney, Gray, Greer, Harrison, Johnson, Kennedy, Labauve, Pegues, Sharpe and Wilborne—16 votes.

Noes—Messrs. Alcorn, Carter, Catching, Davis, Guion, Hodges, Lake, McDugald, McAffee, Pettus, Ramsay, Singleton, Stewart, Stone and White—15 votes.

Mr. Stewart called for the consideration of the amendments made by the House of Representatives to a bill from the Senate, to be entitled,

An act to authorize the President and Directors of the West Feliciana Rail Road Company to close up the banking department of that institution, and for other purposes;

Which was read.

Mr. Briscoe offered the following amendment to the amendment:

Section —. *Be it further enacted*, that all taxes imposed on said bank by a law of this State, approved 6th day of February, A. D. 1841, shall first be paid in preference of all other debts; and the tax collector of the county of Wilkinson is hereby required to collect from said bank the taxes due from the year 1841 to the present time, inclusive, and every year hereafter, or so long as said Rail Road and Banking Company shall retain their corporate franchises; and no voluntary surrender of banking franchises shall be made, nor any judgment or bill receivable of any description be transferred or otherwise disposed of by said company, until all arrearages of taxes due this State and the county of Wilkinson, shall be fully paid;

Which was adopted.

On motion of Mr. Stewart,

The Senate concurred in the House amendment, as amended.

Mr. Labauve called for the consideration of a bill from the House of Representatives,

To be entitled,

An act to amend the several acts in relation to the revenue of this State, and for other purposes;

Which was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

The Senate went into committee of the whole on said bill;

And after some time spent therein,

The committee rose, and

Mr. Catching reported progress, and asked leave to sit again at half-past 3 o'clock, P. M.

On motion of Mr. Catching,

The report was received and agreed to.

Mr. Boone, from the joint standing committee on claims, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on claims, to whom were referred sundry claims against the State, have bestowed much labor in the examination of the same, and have passed upon them respectively, as in the opinion of your committee their merits demanded.

Many claims have been rejected, because your committee were of opinion that when duly and properly certified, the Auditor of Public Accounts has ample authority, and is the proper officer to allow the same. Others have been rejected for the want of satisfactory proof of their justness; whilst others have been curtailed in amount, because your committee were of opinion that too much had been charged.

Your committee have instructed the undersigned to report the several claims (with the endorsements thereon,) back to the House, by which they were respectively referred, together with the accompanying bill, and recommend its passage.

R. H. BOONE, Chairman
Committee on part of the Senate.
J. T. CONNELL, Chairman
Committee on part of House of Representatives.

The bill therein reported, to be entitled,

An act making certain appropriations therein named,

Was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Cannon called from the table,

A bill to be entitled,

An act to authorize certain alterations in the offices of the Auditor and Treasurer;

Which was read the second time forthwith.

Mr. Cannon offered the following amendments, viz:

Amend second section—"Strike out all after the second line."

Fill the blank in the fourth section, with the words "nine hundred."

Additional section:

"*And be it further enacted*, that the Auditor of Public Accounts be and he is hereby authorized to employ a clerk the better to enable him to carry out the provisions of the first section of this act, provided that his salary shall not be over fifty dollars per month;"

Which were adopted.

On motion of Mr. Cannon,

The bill was considered as engrossed;

The rule suspended;

And the bill read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Sharpe moved a recess until 3 o'clock, P. M.;

Which prevailed.

THREE O'CLOCK, P. M.

The recess having expired,

The Senate met.

Mr. McAffee called for the consideration of a bill on the orders of the day,

To be entitled,

An act to change the time of holding the probate court of the counties of Greene and Wayne;

Which was read the first time.

On motion of Mr. McAffee,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. McAffee,

The rule was further suspended,

And the bill was read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. White called from the table,

A bill to be entitled,

An act for the relief of Jefferson J Hughes;

Which was read the second time forthwith.

On motion of Mr. White,

The constitutional rule was suspended,

And the bill read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Alcorn, from a select committee, reported

A bill to be entitled,

An act supplemental to an act entitled an act to dispose of the five hundred thousand acres of land donated to this State by Congress, for purposes of internal improvements, approved February 23d, 1848, and for other purposes;

Which was read the first time.

On motion of Mr. Alcorn,

The report was received and agreed to.

Mr. Alcorn moved for a suspension of the rule, for a second reading forthwith;

Which was lost.

The following message was received from the House of Representatives, through their Clerk, viz:

MR. PRESIDENT—The House of Representatives have receded from their 3d amendment made to the Senate bill entitled,

An act concerning the code of Mississippi.

The House have passed a Senate resolution in relation to Howard and Hutchinson's Digest.

Mr. Gray called for the consideration of

A resolution granting leave of absence to Judges W. L. Sharkey and A. M. Clayton;

Which was read the first time.

On motion of Mr. Gray,

The constitutional rule was suspended,

And the resolution was read the second time forthwith, by title.

On the further motion of Mr. Cannon,

The rule was further suspended,

And the resolution was read the third time forthwith, and adopted:

Ordered, that the title thereof be as stated.

Mr. Dabney called for the consideration of a bill on the orders of the day,

A bill to be entitled,

An act to repeal an act to establish a system of common schools, and for other purposes, as to Noxubee county;

Which was read the third time forthwith.

Mr. Dabney offered the following amendment, by way of ryder, to-wit:

Section —. *Be it further enacted*, that the repeal of the above recited act shall be construed to apply only to the monies and funds belonging to sixteenth sections in said county, and the right of the trustees of said sixteenth sections to control the same;

Which was adopted;

And said bill and its ryder put on its final passage and passed:

Ordered, that the title thereof be as stated.

Mr. Cannon moved to call from the table,

A bill to be entitled,

An act to remove the vice-chancery court from Fulton to Aberdeen, and for other purposes;

Which was lost.

Mr. Sharpe called for the consideration of a bill on the orders of the day,

To be entitled,

An act to provide for the sale of the lands heretofore purchased by the State for taxes;

Which was read the first time.

On motion of Mr. Sharpe,

The constitutional rule was suspended,

And the bill was read the second time time forthwith, by title.

On motion of Mr. Labauve,

The following message of his Excellency the Governor, was taken up:

To the Senate:

I return to your honorable body, without my approval, "an act for the relief of the widow and heirs of James M. Matlock, of De Soto county.

The proposal to release the widow and her heirs, also William D. Ellis from a forfeiture, which power, as I conceive, is vested by the constitution in the Governor and Senate alone: this is manifest from the 10th section of the 5th article of the constitution.

Believing that it is important to confine each department of government within its constitutional bounds, I cannot give the act under consideration my approval.

EXECUTIVE CHAMBER, Feb. 28th, 1848. } J. W. MATTHEWS.

The bill in said message mentioned was read forthwith.

The question was then had, "shall this bill pass, notwithstanding the veto of his Excellency the Governor;

Which was decided in the negative.

The ayes and noes thereon, are as follows, to-wit:

AYES—Messrs. Gray, Guion, Hodges, Ramsay, and Stone—5 votes.

NOES—Mr. President, Messrs. Alcorn, Boone, Beene, Bradford, Briscoe, Cannon, Carter, Catching, Davis, Dabney, Greer, Harrison, Kennedy, Lake, Labauve, McDugald, McAffee, Pegues, Pettus, Singleton, Sharpe Stewart, White, and Wilborne—25 votes.

Mr. Kennedy called for the consideration of a bill on the orders of the day, to be entitled,

An act to limit the powers of the Librarian and Keeper of the Capitol;

Which was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Ramsay called for the consideration of

A bill to be entitled,

An act to reduce the per diem allowance of the board of police of Jackson county;

Which was read the first time.

On motion of Mr. Ramsay,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Ramsay,

The constitutional rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Kennedy called for the consideration of a bill on the orders of the day, to be entitled,

An act to reduce the per centage of the county treasurer of Harrison county, so far as relates to the common school fund;

Which was read the first time.

On motion of Mr. Ramsay,

The constitutional rule was suspended,

And the bill was read the second time forthwith.

On the further motion of Mr. Ramsay,

The rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Ramsay called for the consideration of a bill on the orders of the day, to be entitled,

An act to reduce the per diem allowance of the members of the board of police in the counties of Harrison and Hancock, and for other purposes;

Which was read the first time.

On motion of Mr. Ramsay,

The constitutional rule was suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Singleton called for the consideration of a bill on the orders of the day, to be entitled,

An act to amend the several laws in relation to tippling and retailing;

Which was read the first time.

On motion of Mr. Singleton,

The constitutional rule was suspended,

And the bill was read the second time forthwith.

On motion of Mr. Singleton,

The rule was further suspended,

And the bill was read the third time forthwith, and passed;

Ordered, that the title thereof be as stated.

The Senate again resumed the consideration of the bill to be entitled,

An act to amend the several acts in relation to the revenue of this State, and for other purposes, in committee of the whole;

And after some time spent therein, the committee rose and reported progress.

On motion of Mr. Catching,

The report was received and agreed to.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to authorize Daniel B. Nailor, his heirs and assigns, to build a turnpike road across the Big Black swamp in the county of Warren and State of Mississippi, from the ferry known as Baldwin's ferry to Regan's Island.

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor, for his approval and signature, a bill of the following title, to-wit:

An act to exempt from sale under execution, the libraries of Ministers of the Gospel, and for other purposes;

An act requiring the treasurer of Pontotoc and Lafayette counties to loan the school fund of said counties.

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined a bill of the following title, to-wit:

An act to aid in the establishment of an institution for instruction of the blind;

And have found the same correctly enrolled.

Mr. Greer moved a recess until half past 7 o'clock P. M.;

Which prevailed.

HALF PAST SEVEN O'CLOCK P. M.

The recess having expired,

The Senate met.

Mr. Boone asked and obtained leave to the introduction of

A bill to be entitled,

An act to repeal to 62nd section of the 36th chapter of the law in Howard and Hutchinson's code;

Which was read the first time.

On motion of Mr. Boone,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Sharpe moved to lay said bill on the table;

Which was lost.

Mr. Boone moved to consider the bill as engrossed, and suspend the rule for a third reading forthwith;

Which was lost.

On motion of Mr. Lake,

Said bill was referred to the committee on propositions and grievances.

Mr. Singleton called for the consideration of a bill on the orders of the day, to be entitled.

An act for the relief of Silas L. Steen;

Which was read the first time.

On motion of Mr. Boone,

The constutional rule was suspended,

And the bill was read the second time forthwith.

On the further motion of Mr. Hodges,

The rule was further suspended,

And the bill was read the third time forthwith by title, and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Labauve,

The Senate resumed the consideration of the bill to be entitled,

An act to amend the several acts in relation tot he revenue of this State, and for other purposes.

On motion of Mr. Pettus,

The Senate went into committee of the whole forthwith on said bill;

And after some time spent therein, the committee rose; and

Mr. Catching reported the same back with and amendment, and recommend that it do not pass.

Mr. Catching moved to receive and agree to said report.

A division of the question was called for.

The question was had first on the reception of said report;

Which was decided in the affirmative.

Mr. Dabney offered the following amendment, viz:

"Amend by filling the blank with one dollar and ninety-five cents."

Mr. Wilborne offered the following amendment to the amendment, to-wit:

"Fill the blank by inserting one dollar;"

Which was lost.

The question was next had on the amendment;

Which was lost.

Mr. Labauve offered the following amendment:

Strike out one fourth and insert one sixth.

Pending the discussion thereon.

Mr. McAfee moved an adjournment;

Which was lost.

A division of the question was called for.

On motion of Mr. Labauve,

The question was first had on striking out;

Which was lost.

Mr. Lake offered the following amendment, viz:

"Amend the 1st section by striking out the words "owned "by" in the 26th line, and the words "the citizens of" in the 27th line, and insert "in;"

Which was adopted.

Mr. Alcorn moved to lay the bill on the table;

Which was lost.

Mr. Cannon called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Alcorn, Carter, Davis, Dabney, Guion, Hodges, Lake, Labauve, McAffee, Pettus, Ramsay, Sharpe, Stewart, and Stone—14 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Cannon, Catching, Gray, Greer, Harrison, Johnson, Kennedy, Pegues, Singleton, and Wilborne—14 votes.

On motion of Mr. Labauve,

Said bill was ponstponed.

Mr. Cannon called for the ayes and noes thereon, which are as follow, to-wit:

AYES—Messrs. Alcorn, Carter, Catching, Davis, Dabney, Guion, Hodges, Lake, Labauve, McAfee, Pettus, Ramsay, Sharpe, Stewart, and Stone—15 votes.

NOES—Mr. President, Messrs. Boone, Beene, Bradford, Cannon, Gray, Greer, Harrison, Johnson, Kennedy, Pegues, Singleton, and Wilborne—13 votes.

On motion of Mr. Greer,

The Senate adjourned.

THURSDAY, March 2, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Harrison asked and obtained leave to the introduction of

A bill to be entitled,

An act supplemental to an act entitled an act for the relief of the sheriff or tax collector of Monroe county;

Which was read the first time.

On motion of Mr. Harrison,

The constitutional rule was suspended,

And the bill was read the second time forthwith by title.

On the further motion of Mr. Harrison,

The bill was considered as engrossed, the rule further suspended and the bill read the third time and passed.

Ordered, that the title thereof be as stated.

Mr. Stone asked and obtained leave to the introduction of

A bill to be entitled,

An act to amend the laws now in force in relation to writs of error, and judgments and decrees rendered in any court in this State;

Which was read the first time.

On motion of Mr. Stone,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Stone moved to suspend the rule, and to consider the bill as engrossed for a third reading forthwith;

Which was lost.

The following message was received from the House of Representatives, through their Clerk, to wit:

Mr. President—The Speaker of the House of Representatives has signed,

A resolution granting leave of absence to Judges W. L. Sharkey and A. M. Clayton;

An act to reduce the per diem allowance of the board of police of Jackson county;

An act to reduce the per diem allowance of the members of the boards of police in the counties of Harrison and Hancock, and for other purposes;

An act for the relief of [illegible] E. Hughes;

An act to reduce the percentage of the county Treasurer of the county of Harrison, so far as relates to the revenue school land;

An act concerning the cedar of Mississippi;

Which is herewith presented for the signature of the President.

The President signed the resolution and acts in said message mentioned.

On motion of Mr. Lake,

Mr. White, the honorable Senator from the counties of Washington, Issaquena and Yazoo, had leave of absence granted him, for the next two succeeding days.

Mr. Sharpe asked and obtained leave to the introduction of

A bill to be entitled,

An act to amend an act to regulate the practice of the Circuit courts, approved 22d February, 1828;

Which was read the first time.

Mr. Sharpe moved to consider the bill as engrossed, and to suspend the constitutional rule for a third reading; [illegible]

Which was lost.

Mr. Labauve asked and obtained leave to the introduction of a memorial to be entitled,

A memorial of the Legislature of Mississippi to the Congress of the United States, asking a change in the mail routes;

Which was read the first time.

On motion of Mr. Labauve,

The rule was suspended,

And the memorial was read the second time forthwith by title, and adopted.

Mr. Boone called for the consideration of

A bill to be entitled,

An act making certain appropriations therein named,

Which was before the Senate on its second reading on yesterday.

Mr. Boone offered the following amendment, to wit:

Article 71. To Wm. B. Cavanah, for the use of Robert Fulton, assistant door keeper of the Senate session of 1848, the sum of fifty dollars.

Mr. Guion offered the following amendment to the amendment, to wit:

Strike out $50, and insert $60;

Which was adopted.

The question was next had on the adoption of the amendment as amended;

Which was decided in the affirmative.

Mr. Bradford offered the following amendment, to-wit:

Article 72. To J. R. Jones of Pontotoc county, for provisions furnished N. Robt. Cary, lieutenant, for the use of the late volunteer company from Pontotoc county, styled the "Pontotoc Avengers," the sum of thirty dollars;

Which was lost.

Mr. Guion offered the following amendment, to-wit:

Article —. To Robert Jack, the sum of three thousand five hundred and twenty-five dollars twelve and one-half cents, in full satisfaction of the decree of the Superior court of Chancery, in the case of Robert Jack vs. the State of Mississippi, No. 2587, rendered on the first day of March, A. D., 1848 eighteen hundred and forty-eight;

Which was adopted.

Mr. Labauve offered the following amendment, to-wit:

Article —. To James H. Murray, for services rendered the State, in conveying Thos. J. Matlock and Benjamin Bean from De Soto to Panola county, charged with murder, and hiring nine guards, vehicle ferriages and victualing prisoners, the sum of one hundred and thirty-four dollars and seventy-five cents;

Which was adopted.

Mr. Alcorn offered the following amendment, to-wit:

Article —. To John R. Langford, sheriff of Coahoma county, the sum of one hundred and twenty-six dollars and ninety cents, ($126 90) in satisfaction of a claim allowed by George Coalter, Judge of the 3d judicial district, at the September term, 1847;

Which was lost.

On motion of Mr. Carter,

The vote adopting the amendment last offered by Mr. Labauve,

Was reconsidered.

On motion of Mr. Carter,

Said amendment was rejected.

Mr. Stewart offered the following amendment, to-wit:

Article —. To John B. Nevitt, the sum of twenty-five dollars,

for over assessment of State taxes in the year eighteen hundred and forty-three;

Which was lost.

Mr. Guion offered the following amendment, to-wit:

Article —. One thousand dollars to the Governor of the State, to be expended by him in furnishing the Executive mansion;

Which was adopted.

Mr. Hodges offered the following amendment, to-wit:

Article —. To J. D. W. Duckworth, the sum of one hundred dollars and seventy-four cents, for services rendered as sheriff of Smith county, in executing sundry criminal processes wherein the State failed in the prosecutions and costs not taxes.

On motion of Mr. Carter,

The last named amendment was rejected.

Mr. Lake offered the following amendment, to-wit:

No. 53. Strike out $40 and insert $88.

No. 58. Strike out $50 and insert $128.

The question was first had on the adoption of the following amendment:

No. 53. Strike out $40 and insert $88;

Which was decided in the affirmative.

The question was next had on the adoption of the following amendment:

No. 58. Strike out $50 and insert $128;

Which was adopted.

Mr. Gray offered the following amendment, to-wit:

Amend the 67th article by striking out 200 in the 6th line, and inserting 300;

Which was adopted.

Mr. Boone offered the following amendment, to-wit:

At the end of article 32, add for the use of the town of Columbus;

Which was adopted.

On motion of Mr. Labauve,

Said bill was considered as engrossed,

The rule suspended,

And the bill read the third time, and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed the bills from the Senate of the following titles, to-wit:

A bill to be entitled,

An act to change the time of holding the Circuit courts for the counties of Leake and Attala;

A bill to be entitled,

An act to provide for the application of the common school fund, that has and may hereafter accrue, under an act approved 4th March, 1846, in the county of Marion, and for other purposes;

A bill to be entitled,

An act permanently to establish the seat of justice of Tunica county.

The House of Representatives have concurred in the amendment made by the Senate, to the House bill entitled,

An act for the better regulation of the State Library.

On motion of Mr. Ramsay,

The enrolled bill of the Senate, entitled,

An act to take the sense of the people of the State of Mississippi on the propriety of calling a convention to amend the constitution of the State,

Was by general consent, corrected as follows:

In section 7, line 18, strike out the word "fifteen."

On motion of Mr. Labauve,

A committee of three were appointed to examine into said error.

Messrs. Gray, Stone and Labauve, were appointed said committee.

The following message was received from his Excellency, the Governor, through his private Secretary, to-wit:

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act for the relief of James Bond of the county of Choctaw, one of the securities of Richard S. Graves, formerly Treasurer of this State;

An act to aid in the establishment of an institution for the instruction of the blind,

Approved March 2d, 1848.

Tthe Senate:

I ask the advice and consent of the Senate to the remission of a judgment obtained against James W. Evans, in the Circuit court of Claiborne county, on the seventeenth day of April, eighteen hundred and forty-seven, on scire facias against said Evans, for forfeiture of his recognizance in failing to appear at said court, and answer to an indictment for assault and battery upon James J. Critchlon; also a like judgment for the sum of two hundred dollars in favor of the State against George O. Wilson, rendered by the Circuit court of Claiborne county, on scire facias against said Wilson, as surety for said Evans, upon his forfeited recognizance for the appearance of said Evans before said court.

J. W. MATTHEWS.

On motion of Mr. Briscoe,

The Senate went into secret session with open doors on the last named message of his Excellency, the Governor.

On motion of Mr. Briscoe,

The Senate advise and consent to the remission of a judgment obtained against James W. Evans, in the Circuit court of Claiborne county, on the 16th day of April, 1847, &c., as in said message particularly set forth.

Mr. Labauve from the committee on propositions and grievances, to whom had been referred the petition of John T. Johnson, reported,

A bill to be entitled,

An act for the relief of John T. Johnson;

Which was read the first time.

On motion af Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

The bill was considered as engrossed,

The rule was further suspended,

And the bill read the third time and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have passed bills of the following titles:

A bill to be entitled,

An act to provide for the improvement of the navigation of the rivers in the State of Mississippi;

A bill to be entitled,

An act to provide for the construction of a levee on the Mississippi River;

In which I am instructed to desire the concurrence of the Senate.

Mr. Alcorn called for the consideration of the bill last mentioned in said message.

The question being had thereon,

It was lost.

Mr. Singleton called for the consideration of a bill on the orders of the day,

To be entitled,

An act to amend an act entitled an act directing the method of proceeding in courts of equity, against absent debtors, and other absent defendants, and for regulating the proceedings in attachment against absconding debtors, passed June 7th, 1822;

Which was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Ramsay from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined a bill of the following title, to-wit:

An act to take the sense of the people of the State of Mississippi on the propriety of calling a convention to amend the constitution of the State;

And have found the same correctly enrolled.

Mr. Cannon called for the consideration of a bill on the orders of the day,

To be entitled,

An act to regulate the public printing;

Which was read the first time.

On motion of Mr. Cannon,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Labauve offered the following amendment, to-wit:

Amend section —. And that this act take effect and be in force from and after the 1st day of January next;

Which was adopted.

On motion of Mr. Cannon,

The bill as amended, was considered as engrossed,

The rule further suspended,

And the bill read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Davis from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to reduce the percentage of the county Treasurer of the county of Harrison, so far as relates to the common school fund;

An act for the relief of Jefferson J. Hughes;

An act to reduce the per diem allowance of the board of police of Jackson county;

An act to reduce the per diem allowance of the members of the boards of police in the counties of Harrison and Hancock, and for other purposes;

A resolution granting leave of absence to Judges W. L. Sharkey and A. M. Clayton;

An act concerning the code of Mississippi;

And have found the same correctly enrolled.

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency, the Governor, for his approval and signature, a bill of the following title, to-wit:

An act to aid in the establishment of an institution for the instruction of the blind.

On motion of Mr. Pettus,

The Senate concurred in the amendments made by the House of Representatives, to a bill from the Senate,

To be entitled,

An act to regulate the proceedings in justices' courts in certain cases.

Mr. Alcorn called for the consideration of

A bill to be entitled,

An act for the relief of Thomas Kirkman;

Which was read the first time.

On motion of Mr. Alcorn,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Alcorn,

The rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Greer called for the consideration of

A bill to be entitled,

An act to provide for the improvement of the navigation of the rivers in the State of Mississippi;

The question being had thereon, it was lost.

Mr. Sharpe called for the consideration of

A bill to be entitled,

An act to provide for the sale of the lands heretofore purchased by the State for taxes;

And the question being had thereon, it was lost.

Mr. Labauve called for the consideration of

A bill to be entitled,

An act to secure the collection of the jury tax, and to protect the officers of court;

Which was read the second time.

Mr. Stone offered the following amendment, to-wit:

Amend after the word "security" in any case to where he may be interested as counsel or attorney in said cause;

Which was adopted.

Mr. Labauve moved to consider the bill as engrossed,

And suspend the rule for a third reading forthwith;

Which was lost.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have passed the Senate bills of the following titles:

A bill to be entitled,

An act for the relief of George Holly;

A bill to be entitled,

An act to limit the power of the Librarian and Keeper of the Capitol;

A bill to be entitled,

An act concerning the Female Academy in De Soto county;

And have also passed a House bill, to be entitled,

An act to change the name of Mary H. Sterry to Mary H. Parker;

In which I am instructed to desire the concurrence of the Senate.

MR. PRESIDENT—The House of Representatives have adopted the following resolution:

Resolved, (the Senate concurring) that a committee of five on the part of the House, and —— on the part of the Senate, be appointed to report resolutions expressive of the feelings of this Legislature, in relation to the death of the late John Q. Adams, ex-President of the United States;

And have appointed as said committee, Messrs. Steger, Yerger, Johnson, Whitmore, and Simrall;

In which I am instructed to desire the concurrence of the Senate.

MR. PRESIDENT—The House of Representatives have passed the bills of the following titles, to-wit:

A bill supplemental to an act passed at the present session of the Legislature, entitled "an act to provide for the removal of the seat of justice in Yazoo county;"

A bill to be entitled,

An act to incorporate the town of Decatur, in the county of Newton;

In which I am instructed to desire the concurrence of the Senate.

Mr. Stewart called for the consideration of the first above named bill;

Which was read the first time.

On motion of Mr. Stewart,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Stewart,

The rule was further suspended,

And the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Labauve,

The Senate proceeded to the consideration of

A bill to be entitled,

An act defining the duties of judges upon applications for writs

of habeas corpus, continuances and change of venue in criminal cases;

Which was read the second time forthwith.

On motion of Mr. Guion,

Said bill was laid on the table.

A bill to be entitled,

An act to change the time of holding the probate court of Yallobusha county,

Was read the first time.

On motion of Mr. Wilborne,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Wilborne,

The constitutional rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Pettus moved a recess until 3 o'clock, P. M.;

Which prevailed.

THREE O'CLOCK, P. M.

The recess having expired,

The Senate met.

Mr. Beene presented for the consideration of the Senate, the communications of James E. Matthews, late Auditor, and William Clark, late Treasurer of the State, with sundry accompanying documents;

Which were read.

Pending the discussion thereon,

Mr. Cannon offered the following resolution, to-wit:

Resolved by the Legislature of the State of Mississippi, That James E. Matthews, late Auditor of Public Accounts, and William Clark, late State Treasurer, were not authorized by law to draw from the treasury three hundred dollars each, during the years 1846 and 1847, for extra clerk's hire; and that the said Matthews and Clark shall refund to the treasury the amount thus unlawfully drawn.

Resolved further, That Attorney General John D. Freeman, in thrusting his legal opinions upon the Senate unsought, performed no part of his official duties, thereby manifesting *an officiousness*

unbecoming his station as a State officer, and *meets* (as it deserves,) the unqualified disapprobation of this body.

Mr. Dabney moved to lay said communications, and all the accompanying documents, on the table;

Which was lost.

Mr. McDugald moved to commit the resolutions, the communications, and all the accompanying documents, to a select committee of five;

Which was lost.

Mr. Cannon called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Beene, Briscoe, Davis, Dabney, Greer, Kennedy, McDugald, McAffee, Pegues, Ramsay, Sharpe and Wilborne —12 votes.

NOES—Mr. President, Messrs. Alcorn, Boone, Bradford, Carter, Gray, Guion, Harrison, Hodges, Johnson, Lake, Labauve, Pettus, Singleton, Stewart and Stone—16 votes.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed:

A bill to be entitled,

An act to repeal an act to establish a system of common schools, and for other purposes, approved March 4th, 1844, so far as the same relates to the counties of Noxubee, Lowndes, Yallobusha, Winston and Covington;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have concurred in the amendments made by the Senate to the amendment made by the House to the Senate bill, entitled

An act to authorize the President and Directors of the West Feliciana Rail Road Company to close up the banking department of that institution, and for other purposes.

The House have passed bills from the Senate of the following titles, to-wit:

A bill to be entitled,

An act to enable the Governor and Attorney General of the State of Mississippi, to settle and compromise with the securities of Richard S. Graves, late Treasurer of this State;

A bill to be entitled,

An act to amend an act to establish a system of common schools, and for other purposes, approved March 4th, 1846;

And have made an amendment to the last named bill;

In which I am instructed to desire the concurrence of the Senate.

Mr. Stone, from a select committee, made the following report, to-wit:

Mr. President—The committee to whom was referred the memorial of Mr. Asa Whitney, in reference to the great northern railway, from the lakes to the Pacific, have had the same under consideration, and have instructed me to make the following report:

The perusal of Mr. Whitney's address to the Legislature of Alabama, which accompanied his memorial, and which was doubtlessly designed to place the committee fully in possession of his views, has impressed their minds with the grandeur of the project, and with an appreciation of the stupendous consequences that would flow from the accomplishment of a scheme that should thus make our country the common centre of the world's boundless commerce.

With one hand would she gather the wealth of Europe, with the other win from prolific Asia her choicest treasures. The vast arrangements of the world would find in this country their commencement and their end. The current of trade, like the electric fluid, would bound from the connection in our own land, and flying rapidly around the civilized world, return to its starting place, unimpeded and unexhausted, again and again to be sped, by the wise enterprise of man, around its mighty circle, spanning the whole earth; and the traveller, who toils for months and years in his progress from country to country, would, on a rail road connecting the two hemispheres, find a mode of transit round the world almost as swift as that of the magic carpet of Prince Houssain, in the Arabian Tales.

The best advantages which are presented, by a communication like this, between the uttermost parts of the earth; the natural progress of the human race, and of human sagacity; the eagerness with which the almost Omnipotent enterprise of man urges forward new and untried channels of effort, and lays under command earth, air and water, driving over and thro' them all, with tireless iron steeds and chariots of fire, convince us that the time is not far

distant when some vast project like this of Mr. Whitney, will be in full operation, and your committee ardently hope that this expectation may be speedily realized.

But anxious as they are to see this done, and interested as they have been by Mr. Whitney's statements, yet your committee will not recommend to the Senate any action at present upon the prayer of the ingenious memorialist. While we award him all the honor he deserves for the conception of so mighty a scheme, and do justice to the vigor and zeal of mind he displays, we are not sufficiently informed to be willing to recommend any action to this body.

The communication of Mr. Whitney seems readily to dispose of all the objections that he notices, yet is evidently written in that sanguine temper which encounters obstacles with apparent pleasure for the sake of overthrowing them. It is said, too, that *one*, perhaps *two* routes further south have been traced out, nearer and more easy, and less expensive than that of Mr. Whitney's. While we utterly disclaim any sectional feelings in the matter, yet if there be better routes, more or less northern than that of Mr. Whitney, the best should be chosen; of this, your committee are not sufficiently advised of to judge. They beg to be discharged from the further consideration of the memorial.

WM. A. STONE, Chairman.

On motion of Mr. Stone,

The report was received and agreed to.

The following message was received from the House of Representatives, through their clerk, to-wit:

Mr. President—The House of Representatives have passed House bills of the following titles, to-wit:

A bill to be entitled,

An act to reduce the per diem allowance of the probate judge and probate clerk of the county of Neshoba;

A bill to be entitled,

An act to amend the 4th and 7th sections of an act entitled, an act to incorporate the town of Middleton, in Carroll county, approved 22d February, 1840;

A bill to be entitled,

An act to authorize the treasurer of Choctaw county to loan out the monies in the treasury of said county, belonging to the common school fund of said county;

A bill to be entitled,

An act to incorporate the Joseph Warren Lodge No. 71, of free and accepted Masons, in the town of New Albany, Pontotoc county;

A bill for the relief of Thomas T. Higgenbothen;

Also, a Senate bill entitled,

An act to provide for and establish common schools in the counties of Hinds, Holmes, and Yallobusha;

And have made sundry amendments thereto;

In all of which I am instructed to desire the concurrence of the Senate.

Mr. President—The House of Representatives have passed Senate bills of the following titles:

A bill to be entitled,

An act supplemental to an act entitled an act for the relief of the sheriff or tax collector of Monroe county;

A bill to be entitled,

A n act to amend an act to change the time of holding the probate court of Coahoma county, approved 22d January, 1848;

A bill to be entitled,

An act to repeal so much of an act as relates to the probate judge of Covington county, entitled an act to reduce the per diem allowance of members of the board of police, probate judge, and probate clerks therein named, approved February 23d, 1846;

An act to amend an act entitled an act to incorporate the towns of Canton, Madisonville, and Livingston, in the county of Madison, and for other purposes, approved February 27th, 1836;

A bill to be entitled,

An act to authorize Hugh R. Miller of Pontotoc county, to remove to Hardeman county Tennessee, certain property of his wards Mary V., Philip D., Beverly M., and John B. Lacy.

The House have concurred in the amendment made by the Senate to the House bill entitled, an act to regulate the public printing.

Mr. President—The House of Representatives have passed the bill of the following title, to-wit:

A bill to be entitled,

An act to authorize the voters of Coahoma county to permanently locate their county seat;

A resolution of the Legislature of the State of Mississippi, to furnish to the Governor of Texas two copies of Howard and Hutchinson's Digest.

The House of Representatives have refused to concur in the amendment made by the Senate to the House bill, entitled

An act to incorporate the Columbus Female Institute, in the town of Columbus, in the county of Lowndes.

The Speaker of the House of Representatives has signed:

An act to take the sense of the people of the State of Mississippi on the propriety of calling a convention to amend the constitution of the State;

Which is herewith presented to the Senate for the signature of the President.

The House have concurred in the amendment of the Senate to a House bill, entitled

An act to extend the times of holding the probate courts of the county of Attala.

The President signed the act in said message mentioned.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to reduce the per diem allowance of the members of the boards of police in the counties of Harrison and Hancock, and for other purposes;

An act to reduce the per diem allowance of the board of police of Jackson county;

An act to reduce the per centage of the county treasurer of Harrison county, so far as relates to the common school fund;

An act for the relief of Jefferson J. Hughes;

A resolution granting leave of absence to Judges W. L. Sharkey and A. M. Clayton;

An act concerning the code of Mississippi.

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency the Governor, for his approval and signature, a bill of the following title, to-wit:

An act to take the sense of the people of the State of Mississippi on the propriety of calling a convention to amend the constitution of the State.

Mr. Lake, from a select committee, made the following report, to-wit:

MR. PRESIDENT—The committee appointed to wait on the High Court of Errors and Appeals and obtain their answers to certain questions propounded by the Senate, touching the classification of the Senators, beg leave to report to the Senate, that they have performed the duty assigned them, and herewith report the opinions of the Judges.

The opinions of the Judges are in the words and figures following, to-wit:

COURT ROOM, JACKSON, March 2d, 1848.

GENTLEMEN: We have had under consideration, the matter submitted to us by resolution of the Senate, communicated in your favor of yesterday, and will briefly state our view in reply.

In our opinion, the constitution, in article 3, sections 9, 10, 11 and 12, contemplates the classification of the Senatorial *Districts*, rather than of the *members* from those districts. Hence a classification once made, continues as long as the districts remain unchanged, and the district thus continues in the class to which it was at first attached, as long as it remains the same district.

In the existing state of things, there are fifteen old districts remaining unchanged—of these, eleven belong to the first class and four to the second. These still belong to the class to which they originally pertained.

There are seventeen *new* districts, *additional* to the fifteen old; the classification must now be made from these, to preserve the equality which the constitution intended. Hence these districts will be subject to lot; five will be allotted to the first class, and twelve to the second. The five will be added to the eleven of the first class—the twelve to the four of the second class, and the required equality will be thus attained.

To answer more directly, the interrogatories propounded, we say, in reply to the first, that there is a classification as to the fifteen Senators, eleven of whom are in the first, and four in the second class.

To the second, that there are seventeen additional Senators from new districts, which are unclassified, and which may be classed by allotting five to the first, and twelve to the second class.

To the third, that taking one or more counties from a Senatorial

District in which a Senator was elected in 1845, and who is still serving, does not so change the district as to vacate his seat. The district to which the county is added is changed. By apportionment a Senator cannot be appointed for a constituency; they have a right to elect.

To the fourth, that you can go behind the law of 1846, to enquire what was the condition of Senatorial Districts. The repeal of the former law of apportionment contained in each successive act of apportionment, operates as a repeal of the former only so far as it comes within the perview of the latter. Hence, a district which is so far unchanged, that no new election necessarily took place in it under the apportionment law of 1846, and in which the period of service of the Senator had not expired in November, 1847, is not affected by the law, and the Senator holds his seat till the expiration of the term of the class to which his district belongs. A mere re-enactment of a previous law does not repeal it.

In conclusion, we may be permitted to say, that the questions are not free from doubt, because there are some confusion of ideas produced by the language employed by the constitution. In one section, the word "district" seems to be used to express the same idea with the word "Senator" in another; hence there is some degree of obscurity. But we have endeavored to place that construction upon the instrument, which seems to us to be most in harmony with its whole meaning—the equality of the classes, and the avoiding of a stated recurrence of a period at certain intervals, when the Senate will be composed of entirely new members—instead of retaining a portion of the old. We can see no other reason for the required classification than to have a body at all times composed in part of experienced members. To say that every new apportionment puts all the Senators out, brings about this result; at most, at the end of every eight years—perhaps at the end of every four, if the Legislature so choose—all the Senators go out, and this feature of the constitution, as to all practical purposes, is rendered of no effect.

With sentiments of high regard, we remain yours, very sincerely,

ALEX. M. CLAYTON,
W. L. SHARKEY.

Messrs. GREER and LAKE,
Senate Committee.

OPINION OF J. S. B. THATCHER.

The present constitution of Mississippi was adopted in 1832.—Previously to that time, the government had been conducted under the old constitution, and the legislative appointment under the old constitution, was in existence at the time the present constitution was adopted.

By section 29, article 3d, of the present constitution, it is provided that "the first election for Senators and Representatives, shall be general throughout the State, and shall be held on the first Monday and day following, in November, 1833; and thereafter there shall be biennial elections for Senators to fill the places of those whose term of service may have expired."

By the 6th section of the schedule of the constitution, it is provided, that "until the first enumeration shall be made as directed by this constitution, the apportionment of Senators and Representa- among the several districts and counties in this State shall remain as at present fixed by law."

This shows that the first Legislature under the present constitution, was selected by virtue of an apportionment made under the old constitution.

By sections 9, 10, 11 and 12, of the 3d article of the present constitution, it is provided, that—

Sec. 9. The Legislature shall at their first session, at periods of not less than every four, nor more than every six years, until the year 1845, and thereafter at periods of not less than four, nor more than every eight years, cause an enumeration to be made of all the free white inhabitants of this State, and the whole number of representatives shall, at the several periods of making such enumeration, be fixed by the Legislature, and apportioned among the several counties, cities, or towns, entitled to separate representation, according to the number of free white inhabitants in each, and shall not be less than thirty-six nor more than one hundred: *Provided, however*, that each county shall always be entitled to at least one representative.

Sec. 10. The whole number of Senators shall, at the several periods of making the enumeration before mentioned, be fixed by the Legislature, and apportioned among the several districts to be established by law, according to the number of free white inhabi-

tants in each, and shall never be less than one-fourth nor more than one-third of the whole number of representatives.

Sec. 11. The Senators shall be chosen by the qualified electors for four years, and on their being convened in consequence of the first election, they shall be divided by lot from their respective districts into two classes, as nearly equal as can be; and the seats of the Senators of the first class shall be vacated at the expiration of the second year.

Sec. 12. Such mode of classifying new additional Senators shall be observed, as will, as nearly as possible, preserve an equality of numbers in each class.

A question has arisen under the 11th section above quoted, whether all the Senators are to be divided by lot into two classes at the first session after an election under each and every apportionment that may be made, or whether such classification is only to be made at the first election under the present constitution.

To my mind, the former is the correct interpretation.

The foregoing provisions of the constitution were not only a rule of action for the first, but for all succeeding Legislatures, so long as the constitution exists.

At their first session, the Legislature was directed to cause an *enumeration* to be made of all the free white inhabitants of the State, and thereafter, to do the same thing, at periods not less than four nor more than six years, until 1845, and thereafter at not less than four nor more than eight years. *The whole number* of Senators were to be fixed by the Legislature *at the several periods* of making said enumeration and apportionment among the several districts to be established by law, after any such enumeration according to the number of free white inhabitants in each. It has been shown that the first election under the present constitution took place by virtue of an apportionment under the previous constitution; and hence, it is clear that the classification of Senators at the first election of the Legislature under the present constitution, was the same that existed previously to the first election under that constitution. There could be no classification at the first session under the present constitution, because *no enumeration* had taken place and no apportionment had been made. At the first session an enumeration was directed, and at the second session an apportionment bill was passed, based upon such enumeration.—

At the first election after such enumeration and apportionment, the whole number of Senators were divided by lot into two classes; the terms of the first class to expire in two years, and those of the second in four. This classification remained until another enumeration and apportionment based thereon, took place. The last enumeration and apportionment were necessarily a total extinction of the first enumeration and apportionment. It is clearly the policy of the constitution that legislative representation shall be based upon the free white population; and so zealous were the framers of the constitution of this principle, that they directed frequent enumerations of the free white inhabitants to be made and apportionment laws to be passed, based on said enumerations. The constitution says in emphatic language, that "the *whole* number of Senators shall, *at the several periods* of making the enumerations, be fixed by the Legislature, and apportioned among the several districts according to the number of free white inhabitants in each;" thus showing conclusively, that each new enumeration and apportionment repealed the former, and put an end to the terms of all Senators who had been elected under the preceding enumeration and apportionment. If this were not so, the four years' term of one half of the Senators elected under a preceding apportionment, would run for two years into the new apportionment, and thereby invade the basis of representation established by the new apportionment, and produce inextricable confusion. In reply to this view, it may be said that the Senators are entitled by the constitution to serve for the term of four years, and that under such a construction one-half of the Senators would be turned out of office at the expiration of two years.

The right to hold the office for four years is qualified by other provisions of the constitution. The whole constitution must be construed together; and while it is true that the terms of Senators are to be four years, it is also true that the Legislature have the power to direct enumerations of the inhabitants, to make new apportionments, and wholly change and remodel districts, and thereby to legislate Senators out of office before the expiration of their four years term. Besides, it is more important that the people should be represented in proportion to their numbers, than that Senators should always hold for the term of four years; and the rights of the Senator are qualified by, and made to yield to the rights of the peo-

ple. The apportionment law of 1841 contains a clause repealing all previous laws relating thereto. A similar provision is found in the apportionment law of 1846. Had not these provisions been contained in those acts, the passage of a new apportionment law would necessarily have produced that effect by virtue of the constitution; for when you change the numerical basis of representation and make new senatorial districts, you necessarily put an end to the representation existing upon a former and different numerical basis. Although the representation in some of the districts may neither be increased nor diminished, the fact that another enumeration and apportionment have been made, necessarily repeals the former enumeration and apportionment, and displaces all who hold office under the same. There cannot be representatives under two systems of apportionment at one and the same time, because such a state of things would defeat the policy of the constitution. Moreover, until 1845, an enumeration was to take place in not less than four nor more than six years. In either event, one half of the Senator's terms would have two years to run at the expiration of either period, because one half of the Senators go out of office biennially.

If, therefore, an enumeration were made at the end of four years, only one half of the Senators would have served a four years term. By the enumeration and apportionment, the districts might be entirely re-modeled, and the terms of service of Senators concluded at the end of two, instead of four years. Therefore, when the constitution says, that Senators shall be chosen for four years, and on their being convened in consequence of the first election, they shall be divided by lot from their respective districts into two classes, it has no reference to the first election under the constitution, but the first election after each and every new apportionment under the present constitution. It follows, then, that after every such apportionment, there shall be a general election throughout the State for all Senators, and after such general election a new classification.

The 12th section of article 3d, of the constitution, provides that "such mode of classifying new additional Senators shall be observed as will, as nearly as possible, preserve an equality of numbers in each class."

The term "new additional Senators," does not refer to new Senators that may be elected under a general apportionment bill; for we have already seen that the precise mode of classifying all

Senators, under a general apportionment bill, is pointed out in another and separate provision of the constitution. In this section, it is left to the discretion of the Senate, which shows that the term "new additional Senators" refers to such Senators as may be elected in consequence of the organization of new additional counties, and senatorial districts in consequence thereof, which had no existence at the time when the general apportionment bill was passed; the Legislature having the power to establish new counties whenever a necessity for the same may occur. Const. Art. 7, section 17. J. S. B. THACHER.

On motion of Mr. Guion,

The report was received.

On motion of Mr. Briscoe,

The report was made the special order of the day for 11 o'clock on to-morrow.

On motion of Mr. Greer,

The Senate concurred in the amendments made by the House of Representatives to a bill from the Senate,

To be entitled,

An act to amend an act entitled an act to establish a system of common schools, approved March 4th, 1846.

Mr. Acorn called for the consideration of a bill from the House of Representatives,

To be entitled,

An act to provide for the construction of a levee on the Mississippi river;

Which was read the first time forthwith.

Mr. Sharpe moved an adjournment;

Which was lost.

Mr. Boone moved a recess until half past 7 o'clock, P. M.;

Which was lost.

Mr. Labauve moved to suspend the constitutional rule,

And read the bill of the last named title a second time forthwith;

Which was lost.

Mr. Gray moved to reject the bill.

Pending the discussion thereon,

Mr. Ramsay moved an adjournment;

Which was lost.

Mr. Carter moved a recess until half-past seven o'clock, P. M.;

Which was lost.

On motion of Mr. Pettus,

The Senate adjourned.

FRIDAY, MARCH 3, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

The President presented to the Senate for its consideration, the communication of James R. Young, late State Commissioner.

Pending the reading thereof,

On motion of Mr. Boone,

The communication was rejected.

Mr. Beene, on his motion,

Had leave to withdraw the communications of James E. Matthews, late Auditor, and William Clark, late Treasurer of this State, together with the accompanying documents.

Mr. Labauve, from the committee on propositions and grievances, made the following report, to-wit:

MR. PRESIDENT—The standing committee on propositions and grievances, to whom was referred the petition of Jacob Unger, have had the same under consideration, and have instructed me to report, that in the opinion of the committee the laws of this State relative to marriages, do not prevent the Israelites from observing their own peculiar rules and regulations in matters of wedlock; and are further of the opinion that they cannot recommend any innovation upon the present policy of divorces, as it now exists in this State. The committee have instructed me to report a bill for the benefit of the Israelites in the city of Jackson, which is herewith submitted.

The bill reported, entitled

An act to grant to the Israelite Congregation in the city of Jackson, a lot of ground in said city,

Was read the first time.

On motion of Mr. Labauve,

The report was received.

On motion of Mr. Alcorn,

The report was agreed to.

On motion of Mr. Guion,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

The bill was considered as engrossed,

The rule further suspended,

And the bill read the third time forthwith, and passed:

Ordered, that the title thereot be as stated.

Mr. Labauve, from the committee on propositions and grievances, made the following report, to-wit:

MR. PRESIDENT—The standing committee on propositions and grievances, to whom was referred the bill to be entitled, an act to repeal the 62d section of the 36th chapter of the law in Howard and Hutchinson's code, have had the same undor consideration, and have instructed me to report the bill back to the Senate, and recommend that it do not pass.

On motion of Mr. Labauve,

The report was received and agreed to.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have concurred in the amendments made by the Senate to a House bill entitled,

An act to amend the several laws of the State in relation to courts of probate.

The House have passed a Senate bill, entitled

An act for the relief of the officers and privates of company I, of the Marshall Guards, of the 1st regiment of Mississippi Rifles;

And have made an amendment thereto;

In which I am instructed to desire the concurrence of the Senate.

The House have passed bills of the following titles:

A bill to be entitled,

An act to establish and secure a ferry across the back bay of Biloxi;

A bill to be entitled,

An act for the benefit of Catharine D. White;

A bill to be entitled,

An act to incorporate the Deer Creek Navigation Company;

A bill to be entitled,

An act for the relief of Carey D. Tucker;

A bill to be entitled,

An act to incorporate the Canton Insurance Company;

A bill to be entitled,

An act for the relief of William Barton;

A bill to be entitled,

An act explanatory of an act approved February 22d, 1842, prescribing the duties of county treasurers;

A bill to be entitled,

An act to require the chancellor of the State to hold terms of the superior court of chancery at Canton, in Madison county;

A bill to be entitled,

An act to provide for leveeing the Mississippi river, in the county of Tunica;

And have made an amendment thereto, by way of ryder;

A bill to be entitled,

An act for the speedy collection of the interest due and to become due on school funds in the counties of Lowndes and Carroll;

In all of which I am instructed to desire the concurrence of the Senate.

The House have passed a Senate bill,

To be entitled,

An act to provide for a committee for the examination of the books of the Auditor of Public Accounts, Treasurer, and Executive Departments of this State, and for other purposes.

On motion of Mr. Guion,

The amendments made by the House of Representatives, to a bill from the Senate,

To be entitled,

An act to provide for and establish common schools in the counties of Hinds, Holmes, and Yallobusha,

Were concurred in.

Mr. Pettus called for the consideration of a bill from the House of Representatives,

To be entitled,

An act to alter and amend the militia laws of this State;

Which was read the first time.

On motion of Mr. Sharpe,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Sharpe offered the following amendment, to-wit:

Amend section eleven, by striking out "fifty dollars" for the extra pay of Adjutant General, and insert in lieu thereof, "two hundred dollars;"

Which was adopted.

On motion of Mr. Sharpe,

The bill, as amended, was considered as engrossed,

The rule further suspended,

And the bill read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Greer,

The amendments made by the House of Representatives, to a bill from the Senate,

To be entitled,

An act for the relief of the officers and privates of company I, of the Marshall Guards, of the 1st regiment of Mississippi Rifles,

Were concurred in.

Mr. Stone called for the consideration of,

A bill to be entitled,

An act to provide for the improvement of the navigation of the rivers in the State of Mississippi.

The question being had on said call,

It was decided in the affirmative;

And said bill was read the first time forthwith.

Mr. Dabney moved to suspend the constitutional rule, and read the bill the second time forthwith;

Which was lost.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Beene, Bradford, Briscoe, Carter, Catching, Davis, Dabney, Gray, Greer, Harrison, Hodges, Johnson, McAffee, Pegues, Pettus, Ramsay, Singleton and Stone —20 votes.

NOES—Messrs. Alcorn, Cannon, Guion, Kennedy, Lake, Labauve, Sharpe and White—8 votes.

On motion of Mr. Gray,

Mr. Stewart, the honorable Senator from the counties of Wilkinson, Franklin and Adams, had leave of absence granted him during his temporary indisposition.

Mr. Davis, from the committee on enrolled bills, made the following report, to-wit:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act for the relief of George Holly;

An act supplemental to an act entitled an act for the relief of the sheriff or tax collector of Monroe county;

Resolution in relation to Howard and Hutchinson's Digest;

An act to authorize Hugh R. Miller of Pontotoc county, to remove to Hardeman county Tennessee, certain property of his wards Mary V., Philip D., Beverly M., and John B. Lacy;

Resolution of the Legislature of the State of Mississippi, to furnish to the Governor of Texas two copies of Howard and Hutchinson's Digest;

An act to amend an act entitled an act to incorporate the towns of Canton, Madisonville, and Livingston, in the county of Madison, and for other purposes, approved February 27th, 1836;

An act to enable the Governor and Attorney General of the State of Mississippi, to settle and compromise with the securities of Richard S. Graves, late Treasurer of this State;

An act to limit the powers of the Librarian and Keeper of the Capitol;

An act concerning the Hernando Female Academy, in Desoto county;

An act to amend an act entitled an act to change the time of holding the probate court of Coahoma county, approved 22d January, 1848;

An act to regulate the proceedings of justices courts in certain cases;

An act to change the time of holding the circuit courts for the counties of Leake and Attala;

An act to authorize the voters of Coahoma county to permanently locate their county seat;

An act to repeal so much of an act as relates to the probate judge of Covington county, entitled an act to reduce the per diem allowance of members of the board of police, probate judges, and probate clerks of certain counties therein named, approved February 23d, 1846;

An act to provide for the application of the common school fund

that has, and may hereafter accrue under an act approved 4th March, 1846, in the county of Marion, and for other purposes:

An act permanently to establish the seat of justice of Tunica county;

An act to change the time of holding the probate courts of the counties of Greene and Wayne;

An act to change the time of holding the probate court of Yallobusha county;

An act to amend the several acts in relation to tippling and retailing;

An act for the relief of Silas L. Steen;

An act to extend the time of holding the probate courts of the county of Attala;

An act for the better regulation of the State Library;

An act supplemental to an act passed at the present session of this Legislature, entitled "an act to provide for the removal of the seat of justice in Yazoo county;"

An act for the relief of Thomas Kirkman, executor of the last will and testament of James Jackson;

An act to amend an act entitled an act directing the method of proceeding in courts of equity, against absent debtors, and other absent defendants, and for regulating the proceedings in attachment against absconding debtors, passed June 7th, 1842;

An act further to amend the several laws of the State in relation to courts of probate;

An act to regulate public printing;

And have found the same correctly enrolled.

The following message was received from the House of Representatives, through their Clerk, towit:

MR. PRESIDENT—The House of Representatives have passed a Senate bill, entitled

An act to increase the compensation of the district attorneys of the State;

And have made sundry amendments thereto;

In which I am instructed to desire the concurrence of the Senate.

The House have passed House bills of the following titles, towit:

A bill to be entitled,

An act to provide for the settlement of guardians in other States by administrators and executors of this State;

A bill to be entitled,

An act to amend an act entitled an act to change the mode of collecting the revenue of hawkers and pedlars, approved 28th February, 1846;

A bill to be entitled,

An act to amend an act entitled an act concerning divorces, passed June 14th, 1822;

A bill to be entitled,

An act to regulate appeals and writs of error from judgments in cases of habeas corpus;

A bill to be entitled,

An act for the benefit of justices of the peace, and for other purposes;

A bill to be entitled,

An act to amend the several laws of this State regulating the proceedings and practice of the high court of errors and appeals, and for other purposes;

A bill to be entitled,

An act to relinquish the title of the State to certain property to V. Newton and E. Drake, and for other purposes;

A bill to be entitled,

An act to amend an act relative to retailing liquors, approved 22d February, 1842;

A bill to be entitled,

An act to legalize the proceedings of the term of the Probate court held on the 3d and 4th days of February, A. D., 1848, in Winston county;

A bill to be entitled,

An act supplemental to an act passed at the present session of the Legislature, to provide for the sale of the five hundred thousand acres of lands, &c.;

In all of which I am requested to desire the concurrence of the Senate.

Mr. President—The House of Representatives have passed bills of the following titles, to-wit:

A bill to be entitled,

An act for the relief of Joseph Pool, late sheriff of Jones county;

A bill to be entitled,

An act to amend the law relative to the election of President and Vice President of the United States;

In which I am instructed to desire the concurrence of the Senate;

And have also passed a Senate bill entitled,

An act for the relief of Jno. T. Johnson.

MR. PRESIDENT—The Speaker of the House of Representatives has signed,

An act to change the time of holding the Probate courts of the counties of Green and Wayne;

An act further to amend the several laws of the State in relation to courts of Probate;

An act to regulate the public printing;

An act for the relief of Thomas Kirkman, executor of the last will and testament of James Jackson;

An act for the better regulation of the State Library;

An act supplemental to an act passed at the present session of this Legislature, entitled an act to provide for the removal of the seat of justice in Yazoo county;

An act for the relief of Silas L. Steen;

An act to change the time of holding the Probate court of Yalabusha county;

An act to amend the several acts in relation to tippling and retailing;

An act to amend an act entitled an act directing the method of proceeding in courts of equity, against absent deb'ors and other absent defendants, and for regulating the proceedings in attachment against absconding debtors, passed June 7, 1822;

An act to extend the time of holding the Probate court of the county of Attala;

An act permanently to locate the seat of justice of Tunica county;

An act to change the time of holding the Circuit courts for the counties of Leake and Attala;

An act to provide for the application of the common school fund that has, and may hereafter accrue, under an act approved 4th March, 1846, in the county of Marion, and for other purposes;

An act to repeal so much of an act as relates to the Probate Judge of Covington county, entitled an act to reduce the per diem allowance of members of the board of police, Probate Judges and

Probate Clerks of certain courts therein named, approved February 23d, 1846;

MR. PRESIDENT—The Speaker of the House of Representatives has signed,

An act to limit the powers of the Librarian and Keeper of the Capitol;

A resolution in relation to Howard and Hutchinson's Digest;

An act concerning Hernando Female Academy, in De Soto county;

An act to authorize Hugh R. Miller of Pontotoc county, to remove to Hardeman county, Tennessee, certain property of his wards, &c.;

An act for the relief of George Holly;

A resolution of the Legislature of the State of Mississippi to furnish to the Governor of Texas, two copies of Howard and Hutchinson's Digest;

An act to amend an act entitled an act to change the time of holding the Probate court of Coahoma county, approved 22d January, 1848;

An act to authorize the voters of Coahoma county to permanently locate their county seat;

An act to amend an act entitled an act to incorporate the towns of Canton, Madisonville and Livingston, in the county of Madison, and for other purposes, approved February 27th, 1836;

An act to regulate the proceedings in justices' courts, in certain cases;

An act to enable the Governor of the State of Mississippi to settle and compromise with the securities of Richard S. Graves, late Treasurer of this State;

An act supplemental to an act entitled an act for the relief of the sheriff or tax collector of Monroe county;

Which I herewith present to the Senate for the signature of the President.

MR. PRESIDENT—The House of Representatives have passed a Senate bill entitled,

An act to amend an act entitled an act to amend the Penitentiary code of this State;

And have made sundry amendments thereto;

In which I am instructed to desire the concurrence of the Senate.

The following message was received from his Excellency, the Governor, through his private Secretary, to-wit:

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act for the relief of John Deer, senior, surviving executor of Burrus Haley, deceased;

Approved March 3d, 1848.

An act concerning the code of Mississppi;

Approved March 2d, 1848.

Mr. Singleton called for the consideration of a bill from the House of Representatives,

To be entitled,

An act to repeal an act to establish a system of common schools, and for other purposes, approved March 4th, 1844, so far as the same relates to the counties of Noxubee, Lowndes, Yalobusha, Winston and Covington;

Which was read the first time forthwith.

On motion of Mr. Singleton,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Pettus offered the following amendment, to-wit:

Amend by adding the word "Kemper," after "Claiborne;"

Which was adopted.

Mr. Dabney offered the following amendment, to-wit:

Amend by adding the following sections:

Sec. 11. *Be it further enacted*, that this act shall not be so construed as to interfere with any act heretofore passed giving to any city or town the proceeds of any fines, forfeitures, amercements or licenses of any sort, for the support of any school or schools in such city of town.

Sec. 12. *Be it further enacted*, that in all cases where the commissioners under the above recited act, have sold the sixteenth sections, it shall be the duty of the trustees of said sixteenth sections, when elected and qualified to make titles to the same, and in case no such trustees are elected, it shall be the duty of the board of police of the county in which said sixteenth section has been so sold, to make titles to the same;

Which was adopted.

Mr. McDugald offered the following amendment, viz:

Amend by adding Jasper and Clarke;

Which was adopted.

Mr. Sharpe offered the following amendment, viz:

Amend by striking out the county of Holmes;

Which was adopted.

Mr. McDugald, on his motion,

Had leave to withdraw the amendment by him last offered and adopted.

Mr. Wilborne offered the following amendment as a substitute for the seventh section:

Substitute for the 7th section—

Sec. 7. *Be it further enacted*, that the boards of police in each of said counties, shall annually, by an order on the county Treasurer, distribute the proceeds referred to in the 5th and 6th sections of this act, to the trustees of the townships of each county, *ratably*, according to the sufficiencies of the sixteenth section funds and the number of children to be educated in such townships: *Provided*, that the trustees of such townships shall be required to distribute the principal and interest of said funds in the same way and manner as is now provided by law for the distribution of the sixteenth section funds;

Which was adopted.

On motion of Mr. Dabney,

The constitutional rule was suspended,

And the bill as amended, was considered as engrossed,

And read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their Clerk, viz:

Mr. President—The House have concurred in the amendment made by the Senate, to a House bill entitled,

An act to amend and alter the militia laws of this State;

The House have also passed,

A bill to be entitled,

An act to prohibit trespass on the State, school, and individual lands of the State, and for other purposes;

In which I am instructed to desire the concurrence of the Senate.

The House of Representatives have passed a Senate bill entitled,

An act to provide for the sale of lands purchased by the State at tax sales;

And have made an amendment thereto;

Also a Senate bill entitled,

An act to provide for the payment of the Planters Bank bonds and coupons, issued by the State on account of the Planters Bank.

The House have concurred in the amendments made by the Senate to a House bill, entitled an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, as far as the same relates to the counties of Noxubee, Lowndes, Tallahatcha, Winston, and Covington.

Mr. President—The House of Representatives have passed a Senate bill entitled,

An act to prevent the obstruction of navigable streams.

Mr. President—The House of Representatives have passed the Senate bill entitled,

An act making certain appropriations therein named;

And have made sundry amendments thereto.

In which I am instructed to desire the concurrence of the Senate.

On motion of Mr. Labauve,

The Senate took up the unfinished business of yesterday.

Mr. Gray, on his motion, withdrew the motion by him entered on yesterday, to reject,

A bill to be entitled,

An act to provide for the construction of a levee on the Mississippi river;

And said bill was read the second time forthwith.

Mr. Harrison offered the following amendment, viz:

1st Section—"Amend by striking out one hundred and twenty," and insert "fifty."

The question was first had on striking out;

Which prevailed.

Mr. Labauve moved to lay said bill with the amendment on the table;

Which was lost.

Mr. Guion called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Messrs. Beene, Cannon, Carter, Dabney, Gray, Ken-

nady, McDugald, Pettus, Singleton, Sharpe, and Wilborne—11 votes.

Noes—Mr. President, Messrs. Alcorn, Boone, Bradford, Briscoe, Catching, Davis, Greer, Guion, Harrison, Hodges, Johnson, Lake, Labauve, McAffee, Pegues, Ramsay, Stone, and White—19 votes.

Mr. Alcorn offered the following amendment, viz:

"Insert one hundred and fifteen thousand dollars."

Mr. Sharpe offered the following amendment to the amendment, to wit:

Amend by filling said blank with the sum of two hundred thousand dollars; one hundred thousand for Yazoo.

Amend 1st Section—Add after 12th line—and from the mouth of Yazoo river to the town of Greenwood, in Carroll county, shall constitute the third district, and that the further sum of one hundred thousand dollars be appropriated out of the proceeds of said 500,000 acres of land for the purpose of constructing the levee of said 3rd district or Yazoo levee.

On motion of Mr. Boone,

Said amendment was laid on the table.

Mr. Sharpe moved a recess until 3 o'clock, P. M.;

Which prevailed.

THREE O'CLOCK, P. M.

The recess having expired,

The Senate met.

Mr. Carter asked and obtained leave to the intrduction of

A bill to be entitled,

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, passed 4th March, 1846;

Which was read the first time.

On motion of Mr. Carter,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Carter,

The bill was considered as engrossed,

And the rule further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. White called for the consideration of a bill from the House of Representative, to be entitled,

An act for the relief of Thomas T. Higgenbottom;

Which was read the first time forthwith.

On motion of Mr. White,

The rule was suspended,

And the bill was read the second time forthwith.

On the further motion of Mr. White,

The rule was further suspended,

And the bill was read the third time and passed:

Ordered, that the title thereof be as stated.

Mr. Stone asked and obtained leave to the introduction of

A bill to be entitled,

An act to provide for a Geological survey of the State of Mississippi:

Which was read the first time.

On motion of Mr. Stone,

The constitutional rule was suspended,

And the bill was read the second time by title.

On the further motion of Mr. Stone,

The bill was laid upon the table.

Mr. Ramsay called for the consideration of a bill from the House of Representatives, to be entitled,

An act to establish and secure a ferry across the Back Bay of Biloxi;

Which was read the first time.

On motion of Mr. Ramsay,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Ramsay offered the following amendment, to-wit:

Be it further enacted, that this act shall be amended, repealed or altered at the pleasure of the Legislature without the consent of the corporation;

Which was adopted.

On the further motion of Mr. Ramsay,

The amendment was considered as engrossed,

The rule further suspended,

And the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Cannon called for the consideration of a bill from the House of Representatives, to be entitled,

An act declaring the Yallobusha river a navigable stream;

Which was read the first time.

On motion of Mr. Cannon,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Cannon,

The rule was further suspended,

And the bill was read the third time forthwith and passed.

Ordered, that the title thereof be as stated.

Mr. Dabney called for the consideration of a bill from the House of Representatives, to be entitled,

An act to legalize the proceedings of the term of the probate court held on the 3rd and 4th days of February 1848, in Winston county;

Which was read the first time.

On motion of Mr. Dabney,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Dabney,

The rule was further suspended,

And the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Harrison called for the consideration of the amendments made by the House of Representative. to

A bill to be entitled,

An act to increase the compensation of the district attorneys of the State;

Which was read; and

On motion of Mr. Harrison,

Concurred in.

Mr. Guion asked and obtained leave to the introduction of

A bill to be entitled,

An act for the more effectual collection of the funds of the State;

Which was read the first time.

On motion of Mr. Guion,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Guion,

The bill was considered as engrossed,

The rule further suspended,

And the bill read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

On motion of Mr. Cannon,

The Senate receded from their amendment to a bill from the House of Representatives, to be entitled,

An act to incorporate the Columbus Female Institute in the town of Columbus, in the county of Lowndes.

Mr. Bradford called for the consideration of are solution from the House of Representatives, requiring the Secretary of State to furnish certain books to certain officers therein named:

Which was read the first time.

On motion of Mr. Bradford,

The constitutional rule was suspended,

And the resolution was read the second time forthwith.

Mr. Badford offered the following amendment, to-wit:

"Amend by striking out all after the word "Digest" in the tenth line;"

Which was adopted;

And said resolution as amended, was adopted forthwith.

Mr. Singleton called for the consideration of a bill from the House of Representatives, to be entitled,

An act to require the Chancellor of the State to hold terms of the superior court of chancery at Canton, in the county of Madison;

Which was read the first time.

On motion of Mr. Ramsay,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Singleton moved to suspend the constitutional rule for a third reading forthwith;

Which was lost.

Mr. Kennedy called for the consideration of a bill from the House of Representatives, to be entitled,

An act to amend the 4th and 7th sections of an act, entitled an act to incorporate the town of Middleton, in Carroll county, approved 22nd February, 1840.

Which was read the first time.

On motion of Mr. Kennedy,

The constitutional rule was suspended,

And said bill was read the second time forthwith, by title.

On the further motion of Mr. Kennedy,

The rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Carter called for the consideration of the amendments made by the House of Representatives, to be entitled,

An act to amend an act, entitled an act to establish a system of common schools, and for other purposes, passed 4th March, 1846;

Which was read; and

On motion of Mr. Carter,

Concurred in.

Mr. Singleton called for the consideration of a bill from the House of Representatives, to be entitled,

An act to amend the law relative to President and Vice-President of the United States;

Which was read the first time forthwith.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

The rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Wilborne called for the consideration of a bill from the House of Representatives, to be entitled,

An act for the relief of William Barton,

Which was read the first time.

On motion of Mr. Alcorn,

Said bill was laid on the table.

Mr. Labauve called for the consideration of a bill from the House of Representatives, to be entitled,

An act to provide for leveeing the Mississippi river in the county of Tunica;

Which was read the first time.

On motion af Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Labauve,

The rule was further suspended,

And the bill was read the third time forthwith and passed.

On motion of Mr. Labauve,

The title was amended so as to read the "counties of Tunica and De Soto:"

Ordered, that the title stand as amended.

Mr. Labauve called for the unfinished business of the forenoon;

And forthwith the Senate took up the bill to be entitled,

An act to provide for the construction of a levee on the Mississippi river.

The question was thereupon had on filling the blank as proposed in the amendment of Mr. Alcorn;

Which was lost.

Mr. Guion called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Bradford, Davis, Greer, Guion, Lake, Labauve, McAfee, Pegues, Ramsay, and White—12 votes.

NOES—Messrs. Boone, Beene, Briscoe, Cannon, Carter, Catching, Dabney, Gray, Harrison, Hodges, Johnson, Kennedy, McDugald, Pettus, Singleton, Sharpe, Stone, and Wilborne—18 votes.

On motion of Mr. Alcorn,

Said bill was laid on the table.

Mr. Labauve called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Beene, Briscoe, Cannon, Carter, Catching, Dabney, Gray, Harrison, Hodges, Johnson, Kennedy, McDugald, McAffee, Pettus, Singleton, Sharpe, and Wilborne—19 votes.

NOES—Messrs. Alcorn, Bradford, Davis, Greer, Guion, Lake, Labauve, Pegues, Ramsay, Stone, and White—11 votes.

And forthwith Mr. Labauve moved an adjournment *sine die;*

Which was lost,

Mr. Catching called for the consideration of a bill from the House of Representatives, to be entitled,

An act to regulate the time of holding the probate court in Simpson county;

Which was read the first time.

On motion of Mr. Catching,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Catching,

The rule was further suspended,

And the bill was read the third time torthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Carter called for the consideration of a bill from the House of Representatives, to be entitled,

An act to incorporate the town of Decatur, in the county of Newton.

Which was read the first time.

On motion of Mr. Carter,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. Carter,

The constitutional rule was suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Greer called for the consideration of the amendments made by the House of Representatives, to a bill from the Senate, to be entitled,

An act to amend the Penitentiary Code of this State;

Which was read forthwith.

Mr. Labauve offered the following amendment to the amendment:

Amend after the word walls "on the adjoining lot or lots;"

Which was adopted.

Mr. Guion offered the following amendment to the amendment:

Amend by striking out all of the amendment which authorizes the Superintendent to rent a house for his residence;

Which was adopted.

On motion of Mr. Greer,

The amendment as amended was concurred in.

Mr. Briscoe moved an adjournment until 10 o'clock A. M. on to-morrow;

Which was lost.

Mr. McDugald called for the consideration of a bill from the House of Representatives,

To be entitled,

An act to incorporate the Pleasant Hill male and female academy, in the county of Jasper;

Which was read the first time.

On motion of Mr. McDugald,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

On the further motion of Mr. McDugald,

The rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. McDugald moved an adjournment;

Which was lost.

Mr. Pettus moved a recess until half-past 7 o'clock, P. M.;

Which was lost.

The Senate resumed the consideration of the subject of the report of the committee on elections.

On motion of Mr. Labauve,

The reading of the opinions of the Judges of the Supreme court was dispensed with.

Mr. Labauve offered the following resolution, viz:

Resolved, that the seventeen Senators from the districts made by the last apportionment bill, draw from a hat containing seventeen ballots, (twelve of which shall be of class No. *two*, and five of class No. *one*,) one ballot each, and the said Senators shall be classed accordingly.

Mr. Dabney offered the following amendment to the resolution, to-wit:

Strike out "seventeen," and insert "fifteen."

Mr. Catching offered the following admendment to the amendment:

Strike out "seventeen," and insert "twenty-one;"

Which was lost.

The question was then had on the amendment of Mr. Dabney;

Which was lost.

The question then recurred upon the resolution of Mr. Labauve;

Which was adopted.

Mr. Guion offered the following resolution, to-wit:

Resolved, that two Senators shall be appointed tellers, who shall, upon the call of the name of each of the seventeen Senators from the new districts, draw out a ballot, and the Senator called shall be assigned to the class drawn to his name;

Which was adopted.

Messrs. Boone and Guion were appointed said tellers;

And forthwith the names of the following seventeen Senators were placed in a hat, and drawn, called and classed as follows, to-wit:

Mr. Alcorn, No. 2,
Mr. Beene, No. 2,
Mr. Bradford, No. 1,
Mr. Briscoe, No. 1,
Mr. Carter, No. 2,
Mr. Catching, No. 1,
Mr. Davis, No. 2,
Mr. Gray, No. 2,
Mr. Hodges, No. 2,
Mr. McDugald, No. 2,
Mr. McAffee, No. 2,
Mr. Pettus, No. 1,
Mr. Ramsay, No. 2,
Mr. Singleton, No. 2,
Mr. Sharpe, No. 1,
Mr. Stewart, No. 2,
Mr. White, No. 2,

On motion of Mr. Carter,

The Senate concurred in the following resolution from the House of Representatives, to-wit:

Resolved, (the Senate concurring,) that a committee of five, on the part of the House, and on the part of the Senate, be appointed to report resolutions expressive of the feelings of this Legislature, in relation to the death of the late John Q. Adams, Ex President of the United States.

On motion of Mr. Hodges,

Messrs. Hodges, Stone and Labauve, were appointed said committee.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have passed a Senate bill entitled,

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, passed the 4th March, 1846;

And have made an amendment thereto;

In which I am instructed to desire the concurrence of the Senate.

Mr. Davis from the committee on enrolled bills, made the following report, to-wit:

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act permanently to establish the seat of justice of Tunica county;

An act to change the time of holding the Circuit courts for the counties of Leake and Attala;

An act to provide for the application of the common school fund that has, and may hereafter accrue, under an act approved 4th March, 1846, in the county of Marion, and for other purposes;

An act to repeal so much of an act as relates to the Probate Judge of Covington county, entitled an act to reduce the per diem allowance of members of the board of police, Probate Judges and Probate Clerks, of certain counties therein named, approved February 23d, 1846;

An act further to amend the several laws of the State, in relation to courts of Probate;

An act to change the time of holding the Probate courts of the counties of Greene and Wayne;

An act to amend an act entitled an act directing the method of proceeding in courts of equity, against absent debtors, and other absent defendants, and for regulating the proceedings in attachment against absconding debtors, passed June 7th, 1823;

An act to extend the time of holding the Probate courts of the county of Attala;

An act to amend the several acts in relation to tippling and retailing;

An act to change the time of holding the Probate courts of Yalobusha county;

An act for the relief of Silas L. Steen;

An act supplemental to an act passed at the present session of this Legislature, entitled an act to provide for the removal of the seat of justice of Yazoo county;

An act for the better regulation of the State Library;

An act for the relief of Thomas Kirkman, executor of the last will and testament of James Jackson;

An act to regulate the public printing;

An act to amend an act entitled an act to incorporate the towns of Canton, Madisonville and Livingston, in the county of Madison, and for other purposes, approved February 27th, 1836;

An act to regulate the proceedings of justices' courts in certain cases;

An act to enable the Governor and Attorney General of the State of Mississippi, to settle and compromise with the securities of Richard S. Graves, late Treasurer of this State;

An act to authorize the voters of Coahoma county to permanently locate their county seat;

An act for the relief of George Holly;

A resolution of the Legislature of the State of Mississippi to furnish the Governor of Texas two copies of Howard and Hutchinson's Digest;

An act to authorize Hugh R. Miller of Pontotoc county, to remove to Hardeman county, Tennessee, certain property of his wards, Mary V., Phillip D., Beverly M., and John B. Lacy;

A resolution in relation to Howard and Hutchinson's Digest;

An act to limit the powers of the Librarian and Keeper of the Capitol;

An act supplemental to an act entitled an act for the relief of the sheriff and tax collector of Monroe county;

An act concerning the Hernando Female Academy, in De Soto county;

An act to amend an act entitled an act to change the time of holding the Probate court of Coahoma county, approved 22d January, 1848.

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, approved 4th March, 1846;

An act for the relief of John T. Johnson;

An act to authorize the President and Directors of the West Feliciana Rail Road Company to close up the banking department of that institution, and for other purposes;

An act to provide for a committee for the examination of the books of the Auditor of Public Accounts, Treasurer, and Executive department of the State, and for other purposes;

An act for the relief of the officers and privates of company "I," of the Marshal Guards, of the first regiment of Mississippi rifles;

And have found the same correctly enrolled.

On motion of Mr. Hodges,

The Senate adjourned.

SATURDAY, March 4, 1848.

The Senate met pursuant to adjournment.

The Journal of yesterday was read.

Mr. Labauve called for the consideration of the amendments made by the House of Representatives to a bill from the Senate, to be entitled,

An act to provide for the sale of lands purchased by the State at tax sales;

Which were read; and

On motion of Mr. Labauve,

Concurred in.

Mr. McAffee called for the consideration of a bill from the House, to be entitled,

An act for the relief of Joseph Pool, late sheriff of Jones county;

Which was read the first time forthwith.

On motion of Mr. McAffee,

The constitutional rule was suspended,

And the bill was read the second time forthwith.

Mr. Cannon moved the indefinite postponement of said bill;

Which was lost.

Mr. Briscoe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Alcorn, Boone, Cannon, Gray, Greer, Guion, Harrison, Lake, Labauve and Pegues—11 votes.

NOES—Messrs. Beene, Bradford, Briscoe, Carter, Catching, Davis, Hodges, Johnson, McDugald, McAfee, Pettus, Ramsay, Singleton, Sharpe, Stone White and Wilborne—17 votes;

Mr. Alcorn offered the following amendment, viz:

Strike out "$100," and in lieu thereof insert "$50;"

Which was lost.

Mr. McAffee moved to suspend the rule for a third reading forthwith;

Which was lost.

On motion of Mr. Lake,

Ordered, that the following amendment made by the House of Representatives, to the enrolled bill of the Senate, to be entitled "an act to provide for a committee for the examination of the books of the Auditor of Public Accounts, Treasurer, and Executive department of this State, and for other purposes," be unanimously sanctioned, to-wit:

After last line in 2d section, insert:

"*Provided*, that said committee shall have power to adjourn over from time to time, as they or a majority of them may think proper, and may continue in session at any time or times, six months within the twelve months therein mentioned."

The President presented to the Senate for its consideration the communication of sundry officers of the 2d regiment of Mississippi Rifles, now serving in Mexico, in regard to the conduct of Albert G. Brown, late Governor of the State of Mississippi;

Which was read.

On motion of Mr. Labauve,

Said communication, together with the accompanying documents, were laid on the table.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed bills of the following titles, to-wit:

A bill to be entitled,

An act to revise and amend the stray laws;

In which I am instructed to desire the concurrence of the Senate.

The House have passed the Senate memorial, entitled,

Memorial of the Legislature of the State of Mississippi to the Congress of the United States, praying a change in the system of transporting the mail:

Also, the following bills:

A bill to be entitled,

An act to amend the practice in the superior and district courts of chancery in this State;

A bill to be entitled,

An act to provide for the appointment of deputy clerks in vacation;

A bill to be entitled,

An act to amend the practice of the several courts of this State.

The House have concurred in the amendments made by the Senate to a resolution of the House, relative to the discharged soldiers of the 1st Mississippi Rifles.

Mr. President—The House of Representatives have passed a Senate bill, entitled

An act to repeal the 4th section of an act entitled an act for the suppression of tippling houses, &c.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The House of Representatives have concurred in the amendment made by the Senate to the amendments made by the House to a Senate bill, entitled

An act to amend the Penitentiary code of this State, and for other purposes.

Mr. President—The House of Representatives have receded from their amendment to the Senate bill, entitled

An act regulating the mode of proceeding against incorporated banks, &c.

Mr. President—The House of Representatives have passed a Senate bill, entitled

An act to authorize certain alterations in the office of the Auditor and Treasurer.

Mr. President—The House have passed the Senate resolutions relative to the existing war with Mexico.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

Mr. President—I am instructed by his Excellency, the Gov.

ernor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act to provide for the application of the common school fund that has, and may hereafter accrue under an act approved 4th March, 1846, in the county of Marion, and for other purposes;

An act to take the sense of the people of the State of Mississippi on the propriety of calling a convention to amend the constitution of the State;

An act to repeal so much of an act as relates to the probate judge of Covington county, entitled an act to reduce the per diem allowance of members of the board of police, probate judges, and probate clerks of certain counties therein named, approved February 23d, 1846;

An act permanently to establish the seat of justice of Tunica county;

An act to amend an act entitled an act to incorporate the towns of Canton, Madisonville, and Livingston, in the county of Madison, and for other purposes, approved February 27th, 1836;

An act to amend an act to change the time of holding the probate court of Coahoma county, approved 22d January, 1848;

An act to change the time of holding the circuit courts for the counties of Leake and Attala;

Resolution in relation to Howard and Hutchinson's Digest;

An act to regulate the proceedings in justices courts in certain cases;

An act for the relief of George Holly;

An act concerning the Hernando Female Academy, in Desoto county;

An act to authorize the voters of Coahoma county to permanently locate their county seat;

An act to authorize Hugh R. Miller of Pontotoc county, to remove to Hardeman county Tennessee, certain property of his wards Mary V., Philip D., Beverly M., and John B. Lacy;

An act to limit the powers of the Librarian and Keeper of the Capitol;

An act supplemental to an act entitled an act for the relief of the sheriff or tax collector of Monroe county;

An act to enable the Governor and Attorney General of the State of Mississippi, to settle and compromise with the securities of Richard S. Graves, late Treasurer of this State;

Resolution of the Legislature of the State of Mississippi, to furnish to the Governor of Texas two copies of Howard and Hutchinson's Digest;

Approved March 3d, 1848.

Mr. Hodges, from a joint select committee, made the following report, to-wit:

MR. PRESIDENT—The joint select committee appointed to draft resolutions expressive of the feelings of the two houses of the Legislature, on the death of the Honl. John Quincy Adams, have had the same under consideration, and have instructed me to report the following, and recommend their adoption.

The resolutions reported, entitled

Resolution in relation to the death of the Hon. John Q. Adams,

Were read.

On motion of Mr. Hodges,

The report was received;

And the resolutions adopted forthwith.

Mr. Briscoe called for the consideration of

A bill to be entitled,

An act to repeal an act approved the 4th day of March, 1846, entitled an act to divide the State of Mississippi into four congressional districts;

Which was read the second time forthwith.

Mr. Briscoe moved to suspend the constitutional rule, and consider the bill as engrossed for a third reading forthwith;

Which was lost.

Mr. Briscoe called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Boone, Beene, Briscoe, Cannon, Carter, Catching, Davis, Dabney, Gray, Johnson, Labauve, McDugald, Pegues, Pettus, Ramsay, Singleton, Stone and Wilborne—18 votes.

NOES—Mr. President, Messrs. Alcorn, Bradford, Greer, Guion, Harrison, Hodges, Lake, Sharpe and White—10 votes.

Mr. Sharpe called for the consideration of

A bill to be entitled,

An act to amend the practice of the circuit courts, approved 22d February, 1840;

And the question being had on said call,

It was lost.

Mr. Sharpe called for the ayes and noes thereon, which are as follows, to-wit:

Ayes—Messrs. Beene, Briscoe, Cannon, Davis, Dabney, Johnson, Kennedy, Labauve, Pegues, Pettus, Ramsay, Sharpe and Stone—13 votes.

Noes—Mr. President, Messrs. Alcorn, Boone, Bradford, Carter, Catching, Gray, Greer, Guion, Harrison, Hodges, Lake, McDugald, Singleton, White and Wilborne—16 votes.

Mr. Lake called for the consideration of

A resolution from the House of Representatives, entitled

A resolution requiring the boards of police of the several counties to fix the county levies;

Which was read the first time forthwith.

On motion of Mr. Lake,

The rule was suspended,

And the resolution was read the second time forthwith, by title.

On the further motion of Mr. Lake,

The rule was further suspended,

And the resolution read the third time forthwith by title, and adopted:

Ordered, that the title thereof be as stated.

The following message was received from the House of Representatives, through their clerk, to-wit:

Mr. President—The House have passed the following Senate resolutions:

Resolution in relation to the death of the Hon. John Q Adams;

Resolution relative to the Secretary of the Senate and Clerk of the House.

Mr. President—The House have passed a Senate bill, entitled

An act in relation to taxes of land in this State.

Mr. President—The House of Representatives have passed a Senate bill, entitled

An act to authorize a change of venue in certain cases.

The following message was received from his Excellency, the Governor, through his private Secretary, to-wit:

To the Senate:

I nominate John C. Carpenter and Richard P. Winslow, to be Inspectors of the Penitentiary for two years, from and after this date. J. W. MATTHEWS.

Executive Chamber, Jackson, March 4th, 1848.

On motion of Mr. Labauve,

The Senate went into Executive session forthwith on said message, with open doors.

On motion of Mr. Labauve,

The Senate advise and consent to said nominations.

On motion of Mr. Briscoe,

The Executive session was dissolved.

Mr. Briscoe called for the consideration of

A bill to be entitled,

An act concerning divorces, passed June 14th, 1822;

And the question being had on said call,

It was decided in the affirmative;

And said bill was read the first time forthwith.

Mr. Briscoe moved to suspend the rule for a second reading forthwith;

Which was lost.

Mr. Labauve called for the consideration of a bill from the House of Representatives,

To be entitled,

An act to revive and amend the stray laws;

Which was read the first time.

Mr. Labauve asked and obtained leave to the introduction of

A resolution in relation to the Secretary of the Senate, &c.;

Which was read the first time.

On motion of Mr. Labauve,

The joint rule was suspended,

And the resolution was read the second time forthwith, and adopted.

Mr. Pettus called for the consideration of a bill from the House of Representatives,

To be entitled,

An act to reduce the per diem allowance of the probate judge and probate clerk of the county of Neshoba;

Which was read the first time forthwith.

On motion of Mr. Pettus,

The constitutional rule was suspended,

And the bill was read the second time forthwith.

On the further motion of Mr. Pettus,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. McDugald called for the consideration of a bill from the House of Representatives,

To be entitled,

An act to incorporate Enterprise Academy, in the county of Clarke;

Which was read the first time.

On motion of Mr. McDugald,

The constitutional rule was suspended,

And the bill was read the second time forthwith.

On the further motion of Mr. McDugald,

The rule was further suspended,

And the bill was read the third time forthwith, and passed:

Ordered, that the title thereof be as stated.

Mr. Stone called for the consideration of a bill from the House of Representatives,

To be entitled,

An act for the improvement of the navigation of the rivers in the State of Mississippi;

And the question being had on the call,

It was decided in the affirmative.

On motion of Mr. Guion,

A call of the Senate was had.

On motion of Mr. Boone,

The further call was suspended.

Mr. Boone moved to lay the bill on the table;

Which was lost.

Mr. Alcorn called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Mr. President, Messrs. Boone, Cannon, Carter, Dabney, Guion, Johnson, Kennedy and McDugald—9 votes.

NOES—Messrs. Alcorn, Beene, Bradford, Catching, Davis, Gray, Creer, Harrison, Labauve, McAffee, Pegues, Pettus, Ramsay, Singleton, Stone, White and Wilborne—17 votes.

And said bill was read the second time forthwith.

On motion of Mr. Guion,

A call of the Senate was had.

On motion of Mr. Guion,

The absentees were sent for.

On motion of Mr. Guion,

The further call was suspended.

Mr. Sharpe offered the following amendment, to-wit:

Strike out the name of George B. Wilds as a commissioner;

Which was adopted.

Mr. Lake offered the following amendment, viz:

Be it further enacted, that for the improvement of the Little Sunflower River, Rolling Fork and Deer Creek, the sum of ten thousand dollars is hereby appropriated, and the following persons are hereby appointed commissioners to superintend and direct said improvement, viz:

From the county of Issaquena, M. Powell;

From the county of Warren, H. W. Vick;

Which was lost.

Mr. McDugald offered the following amendment, to-wit:

Amend by appropriating to the river Chickasahay, seventy thousand dollars;

Which was adopted.

Mr. Sharpe offered the following amendment, viz:

Strike out one dollar per day for the commissioner, and insert four dollars per day.

On motion of Mr. Labauve,

Said amendment was laid on the table.

Mr. Stone moved to suspend the rule for a third reading forthwith;

Which was lost.

Mr. Singleton called for the ayes and noes thereon, which are as follows, to-wit:

AYES—Messrs. Alcorn, Beene, Bradford, Catching, Davis, Gray, Greer, McAffee, Pegues, Pettus, Ramsay, Singleton, Stone and Wilborne—14 votes.

NOES—Mr. President, Messrs. Boone, Briscoe, Cannon, Carter, Dabney, Guion, Harrison, Hodges, Johnson, Kennedy, Lake, Labauve, McDugald, Sharpe and White—16 votes.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed the following bills, to-wit:

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, approved 4th March, 1846;

An act to provide for and establish common schools in the counties of Hinds, Holmes, Amite, Tunica, Jefferson, Wilkinson and Lawrence;

Which I herewith present to the Senate for the signature of the President.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed the following bills, to-wit:

An act to establish and secure a ferry across the Back Bay of Biloxi;

An act to repeal an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, so far as the same relates to the counties of Noxubee, Lowndes, Yalobusha, Winston and Covington;

An act to provide for the levying the Mississippi River in the counties of Tunica and De Soto;

An act to amend the practice in the Superior and District Courts of Chancery in this State;

An act to provide for the payment of the Planters Bank bonds and coupons, issued on account of the Planters Bank;

An act to amend the practice of the several courts of this State,

Mr. Davis from the committee on enrolled bills, made the following report, viz:

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, passed 4th March, 1846;

An act to regulate the time of holding the Probate court in Simpson county;

An act to amend the law relative to the election of electors of President and Vice President of the United States;

An act to incorporate the town of Decatur, in the county of Newton;

An act to legalize the proceedings of a term of the Probate court, held on the third and fourth days of February, A. D., 1848, in Winston county;

An act to amend and alter the militia laws of this State;

An act to incorporate the Female Institute, in the town of Columbus, in the county of Lowndes;

An act to amend the fourth and seventh sections of an act entitled an act to incorporate the town of Middleton, in Carroll county, approved 22d February, 1840;

An act declaring the Yalobusha River a navigable stream;

An act to be entitled an act to incorporate the Pleasant Hill male and female academy, in the county of Jasper;

An act for the relief of Thomas T. Higinbotham;

A resolution of the Legislature of the State of Mississippi relative to the discharged soldiers of the first Mississippi rifles;

A resolution requiring the Secretary of State to furnish certain books to certain officers therein named;

An act to increase the compensation of the District Attorneys of the State;

An act to provide for and establish common schools in the counties of Hinds, Holmes, Amite, Tunica, Jefferson, Wilkinson and Lawrence;

And have found the same correctly enrolled.

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to amend the practice in the Superior and District courts of Chancery in this State;

An act to amend the practice of the several courts of this State;

An act to provide for the appointment of deputy clerks in vacation;

An act to provide for the sale of lands purchased by the State at tax sales;

An act to provide for the payment of the Planters Bank bonds and coupons, issued by the State on account of the Planters Bank;

An act to prevent the obstruction of navigable streams;

An act to authorize certain alterations in the office of the Auditor and Treasurer;

And have found the same correctly enrolled.

Mr. President—The joint standing committee on enrolled bills, have this day examined a bill of the following title, to-wit:

An act in relation to taxes of lands in this State;

And have found the same correctly enrolled.

MR. PRESIDENT—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to provide for a committee for the examination of the books of the Auditor of Public Accounts, Treasurer and Executive department of the State, and for other purposes;

An act to amend the acts regulating the mode of proceeding against incorporated banks, for a violation of their corporate franchises, approved July 26th, 1843, and February 28th, 1846;

A resolution of the Legislature of the State of Mississippi in relation to the death of the Hon. John Quincy Adams;

A resolution in relation to the Secretary of the Senate, &c., of the State of Mississippi;

A resolution of the Legislature of the State of Mississippi in relation to the Mexican war;

An act to incorporate Enterprise Academy, in the county of Clarke;

A resolution requiring the boards of police of the several counties, to fix the county levees;

An act to reduce the per diem allowance of the Probate Judge and Probate Clerk of the county of Marshall;

An act to authorize a change of venue in certain cases;

An act declaring the Yalobusha River a navigable stream;

An act for the relief of Thomas L. Higenbotham;

An act to amend the law relative to the election of electors of President and Vice President of the United States;

An act to regulate the time of holding the Probate court of Simpson county;

An act to incorporate the town of Decatur, in the county of Newton;

An act to incorporate the Pleasant Hill male and female academy, in the county of Jasper;

And have also examined bills of the following titles:

An act to establish and secure a ferry across the Back Bay of Biloxi;

An act to provide for levying the Mississippi River in the counties of Tunica and De Soto;

An act to repeal an act to establish a system of common schools, and for other purposes, approved March 4th, 1846, so far as the same relates to the counties of Noxubee, Lowndes, Yalobusha, Winston and Covington;

And have found the same correctly enrolled.

Mr. Ramsay from the committee on enrolled bills, made the following report, viz:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles:

A memorial of the Legislature of the State of Mississippi to the Congress of the United States, praying a change in the system of transporting the mail;

An act to repeal the 4th section of an act entitled an act for the suppression of tippling houses, and to discourage and prevent the odious vice of drunkenness, approved February 9th, 1839, and for other purposes;

An act to repeal an act entitled an act to authorize the county police of Tunica county to levy a special tax;

An act to declare Little Sunflower and other streams navigable;

An act to incorporate the Deer Creek Navigation Company;

An act for the relief of Mary Mattauer, a woman of color, the wife of Henry Matauer, a free man of color;

And have found the same correctly enrolled.

An act to authorize the Grand Gulf Rail Road and Banking Company to sell their rail-way;

And have found the same correctly enrolled.

The following message was received from the House of Representatives, through their Clerk, to-wit:

Mr. President—The Speaker of the House of Representatives has signed bills of the following titles, to-wit:

An act to prevent the obstruction of navigable streams;

An act to authorize certain alterations in the offices of the Auditor and Treasurer;

An act to provide for the sale of the lands purchased by the State at tax sales;

An act to provide for the appointment of deputy clerks in vacation;

Which are herewith presented to the Senate for the signature of the President.

The President signed the bills in said message mentioned.

Mr. Cannon called for the consideration of the amendments made by the House of Representatives to a bill from the Senate, to be entitled,

An act making certain appropriations therein named,

Which were severally read and concurred in, except the two following:

First Article. To R. H. Boone, T. J. Stewart, A. B. Wooldridge, P Henry, and Robert Stanton, sub-committee on the part of the Legislature, to visit Generals Taylor and Quitman, and present them the preamble and resolutions of the two Houses, inviting them to visit the city of Jackson as the guests of the State, the sum of thirty dollars each;

Which was disagreed to.

Second House amendment:

Amend Art. 43, by striking out "sixty four dollars and sixteen cents, and inserting seventy-five cents."

On motion of Mr. Guion,

The last named amendment was amended as follows, to-wit:

"Strike out seventy-five cents, and insert seventy-five dollars."

Mr. Guion offered the following amendment to the amendments of the House of Representatives, to-wit:

"Article —— To Price and Fall, for printing done for the Senate at the present session, the sum of two thousand and twenty-nine dollars and sixty eight cents;

Which was adopted.

Mr. Guion offered the following amendment to the House amendments, viz:

"Article —— To Foote and Hutchinson, attorneys at law, for professional services rendered in prosecuting suits in favor of the Sinking Fund, the sum of four hundred dollars, to be paid out of said fund;

Which was adopted.

On motion of Mr. Guion,

The amendments to the amendments were considered as engrossed,

And the amendments as amended concurred in.

Mr. Labauve called for the consideration of a bill from the House of Representatives, to be entitled,

An act to repeal an act, entitled an act to authorize the county police of Tunica county to levy a special tax;

Which was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith.

On the further motion of Mr. Labauve,

The constitutional rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. White called for the consideration of a bill from the House of Representatives, to be entitled.

An act declaring Little Sunflower and other streams navigable;

Which was read the first time.

On motion of Mr. White,

The constitutional rule was suspended,

And the bill was read the second time forthwith.

On the further motion of Mr. White,

The rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. White called for the consideration of a bill from the House of Representatives, to be entitled,

An act to incorporate the Deer Creek Navigation Company;

Which was read the first time.

On motion of Mr. White,

The constitutional rule was suspended,

And the bill was read the second time forthwith.

Mr. Labauve offered the following amendment, to-wit:

"Amend by striking out the name of A. J. Paxton in the first section;"

Which was lost.

Mr. Labauve offered the following amendment:

Amend by adding after the word section at the conclusion of the 8th section:

"*Provided*, that nothing in this act shall be so construed as to give to said company the exclusive right of navigating said stream, or of carrying freights thereon for him;"

Which was lost.

Mr. Labauve offered the following amendment, to-wit:

Be it further enacted, that this act shall be amended or repealed at the pleasure of the Legislature with or without the consent of the corporation;

Which was lost; and

On the further motion of Mr. White,

The rule was further suspended,

And the bill was read the third time forthwith and passed:

Ordered, that the title thereof be as stated.

Mr. Carter moved a recess until half-after 7 o'clock P. M.;

Which prevailed.

HALF AFTER 7 O'CLOCK, P. M.

The recess having expired,

The Senate met.

The following message was received from the House of Representatives, through their Clerk, towit:

MR. PRESIDENT—The Speaker of the House of Representatives has signed:

An act for the relief of the officers and privates of company I, of the Marshall Guards, of the 1st regiment of Mississippi Rifles;

An act to amend an act, entitled an act to establish a system of common schools, and for other purposes, approved 4th March, 1846;

An act to provide for a committee for the examination of the books of the Auditor of Public Accounts, Treasurer and Executive Department of the State, and for other purposes;

An act to authorize the president and directors of the West Feliciana Railroad Company, to close up the banking department of that institution, and for other purposes;

An act for the relief of John T. Johnson;

An act to amend the 4th and 7th sections of an act, entitled an act to incorporate the town of Middleton, in Carroll county, approved 22nd February, 1840;

Resolution requiring the Secretary of State to furnish certain books to certain officers therein named;

An act to incorporate the Columbus Female Institute in the town of Columbus, in the county of Lowndes;

An act to amend and alter the Militia laws of this State;

An act to amend the law relative to the election of Electors of President and Vice-President of the United State;

An act for the relief of Thomas T. Higgenbotham;

A resolution of the Legislature of the State of Mississippi, relative to the discharged soldiers of the 1st Mississippi Rifles;

An act to regulate the time of holding the probate court in Simpson county;

An act declaring the Yallobusha river a navigable stream;

An act to legalize the proceedings of a term of the probate court held on the third and fourth days of February, A. D. 1848, in Winston county;

An act to incorporate the Pleasant Hill Male and Female Academy, in the county of Jasper;

An act to incorporate the town of Decatur, in the county of Newton;

An act to regulate the time of holding the probate court in Simpson county;

An act to increase the compensation of the district attorneys of the State.

Mr. President—The Speaker of the House of Representatives has signed,

An act making certain appropriations therein named;

An act to establish a Lunatic Asylum for the State of Mississippi;

Which are herewith presented to the Senate for the signature of the President.

Mr. President—The Speaker of the House of Representatives has signed,

An act to repeal an act, entitled an act to authorize the county police of Tunica county to levy a special tax;

An act to declare Little Sunflower and other streams navigable;

An act to incorporate the Deer Creek Navigation Company;

An act to repeal the 4th section of an act, entitled an act for the suppression of tippling houses, and to discourage and prevent the odious vice of drunkenness, approved February 9th, 1839, and for other purposes;

A memorial of the Legislature of the State of Mississippi, to the Congress of the United States, praying a change in the system of transporting the mails;

An act for the relief of Mary Mattauer a woman of color, the wife of Henry Mattauer, a free man of color;

Which I herewith present to the Senate for the signature of the President.

Mr. President—The Speaker of the House of Representatives has signed,

An act to reduce the per diem allowance of the probate judge and probate clerk of Neshoba;

An act to incorporate the Enterprize Academy in the county of Clarke;

A resolution requiring the boards of police of the several counties to fix the county levies;

An act to amend the act regulating the mode of proceeding againts incorporated banks for a violation of their corporate franchises, approved February 28th, 1846;

An act to provide for a committee for the examination of the books of the Auditor of Public Accounts, Treasurer and Executive;

A resolution of the Legislature of the State of Mississippi, in relation to the Mexican war, &c.

An act to authorize a change of venue in certain cases;

A resolution of the State of Mississippi in relation to the death of the honorable John Quincy Adams;

A resolution in relation to the Secretary of the Senate, &c.;

The House of Representatives have receeded from their amendment made to the Senate bill entitled;

An act making certain appropriations therein named.

And have concurred in the amendments made by the Senate to the same.

The House of Representatives have passed Senate bills of the following titles;

A bill to be entitled,

An act to establish a Lunatic Asylum for the State of Mississippi;

A bill to be entitled,

An act for the relief of Mary Mattauer;

A bill to be entitled,

An act to authorize the Grand Gulf Railroad and Banking Company to sell their Railway.

Mr. Guion offered the following resolution, to-wit:

Resolved, that the Honl. D. Lipscomb merits the approbation of the Senate for the impartial and dignified manner in which he

has discharged the duties of the chair, and for his uniformly cautious and conciliatory deportment as the presiding officer of this body;

Which was unanimously adopted.

Mr. Labauve called for the consideration of a bill from the House of Representatives,

To be entitled,

An act to change the mode of collecting revenue of hawkers and pedlars, approved 28th February, 1846;

Which was read the first time.

On motion of Mr. Labauve,

The constitutional rule was suspended,

And the bill was read the second time forthwith, by title.

Mr. Labauve moved to suspend the rule, and read the bill the third time forthwith;

Which was lost.

Mr. Ramsay, from the committee on enrolled bills, made the following report, viz:

Mr. President—The joint standing committee on enrolled bills, have this day examined bills of the following titles, to-wit:

An act to establish a lunatic asylum for the State of Mississippi;

An act making certain appropriations therein named;

And have found the same correctly enrolled.

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency, the Governor, for his approval and signature, bills of the following titles, to-wit:

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, approved 4th March, 1846;

An act for the relief of the officers and privates of company I, of the Marshall Guards, of the 1st regiment of Mississippi Rifles;

An act for the relief of John T. Johnson;

An act to provide for and establish common schools in the counties of Hinds, Holmes, Amite, Tunica, Jefferson, Wilkinson, and Lawrence;

An act to authorize the President and Directors of the West Feliciana Rail Road Company to close up the banking department of that institution, and for other purposes;

An act to increase the compensation of the district attornies of the State;

An act to amend an act entitled an act to establish a system of common schools, and for other purposes, approved 4th March, 1846;

An act to amend and alter the militia laws of this State;

An act to incorporate the Columbus Female Institute, in the town of Columbus, in the county of Lowndes;

An act to amend the fourth and seventh sections of an act entitled an act to incorporate the town of Middleton, in Carroll county, approved 22d February, 1840;

A resolution of the Legislature of the State of Mississippi relative to the discharged soldiers of the 1st Mississippi Rifles;

A resolution requiring the Secretary of State to furnish certain books to certain officers therein named.

Mr. President—The committee on enrolled bills, have presented to his Excellency the Governor, for his approval and signature, acts and resolutions of the following titles, to-wit:

An act to amend the acts regulating the mode of proceeding against incorporated banks for a violation of their corporate franchises; approved February 28th, 1846;

A resolution of the Legislature of the State of Mississippi, in relation to the Mexican war, &c.;

A resolution of the Legislature of the State of Mississippi, in relation to the death of the Hon. John Quincy Adams;

An act to authorize a change of venue in certain cases;

An act to provide for a committee for the examination of the books of the Auditor of Public Accounts, Treasurer, and Executive department of this State, and for other purposes;

A resolution in relation to the Secretary of the Senate, &c.

Mr. President—The joint standing committee on enrolled bills, have this day presented to his Excellency, the Governor, for his signature and approval, bills of the following titles, to-wit:

An act to incorporate the Deer Creek Navigation Company;

An act to repeal an act entitled an act to repeal an act entitled an act to authorize the county police of Tunica county, &c.;

An act declaring Little Sunflower and other streams navigable.

Mr. President—The joint standing committee on enrolled bills, have presented to his Excellency the Governor, acts of the following titles, for his approval and signature, to-wit:

An act in relation to taxes of lands in this State;

An act for the relief of Mary Mattauer a woman of color, the wife of Henry Mattauer, a free man of color;

An act to repeal the 4th section of an act for the suppression of tippling houses, and to discourage and prevent the odious vice of drunkenness, approved February 9th, 1839, and for other purposes;

Memorial of the Legislature of the State of Mississippi to the Congress of the United States, praying a change in the system of transporting the mail.

Mr. President—The joint standing committee on enrolled bills, have this day presented for the signature of his Excellency the Governor, bills of the following titles, to-wit:

An act to establish a lunatic asylum for the State of Mississippi;

An act making certain appropriations therein named.

Mr. Cannon offered the following joint resolution, to-wit:

Resolved, that a committee of three on the part of the Senate, and on the part of the House of Representatives, be appointed to inform the Governor that they have completed their business, and know of him if he has anything further to communicate;

Which was read;

And on motion,

The joint rule was suspended,

And the resolution adopted forthwith.

Messrs. Cannon, Lake and Labauve, were appointed said committee.

The following message was received from the House of Representatives, through their Clerk, viz:

Mr. President—The House of Representatives have concurred in the resolution of the Senate appointing a committee of three on the part of the Senate, and on the part of the House, to inform the Governor that they have completed their business, and know of him if he has anything further to communicate;

And have appointed on the part of the House, Messrs. Dilworth, Ellis, Henry, Hall, and Campbell of Franklin.

The Speaker has signed:

An act in relation to taxes of land in this State.

The following message was received from his Excellency, the Governor, through his private Secretary, to-wit:

Mr. President—I am instructed by his Excellency, the Gov.

ernor, to inform the Senate that he has approved and signed the following bills:

An act to provide for the payment of the Planters Bank bonds and coupons, issued by the State on account of the Planters Bank;

An act to prevent the obstruction of navigable streams;

An act to authorize certain alterations in the offices of the Auditor and Treasurer;

An act to amend the practice of the several courts of this State;

An act to provide for the sale of lands purchased by the State at tax sale;

An act to provide for the appointment of deputy clerks in vacation;

An act to amend the practice in the superior and district courts of chancery in this State;

Approved March 4th, 1848.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

MR. PRESIDENT—I am instructed by his Excellency, the Governor, to inform the Senate, that he has approved and signed the following bills, to-wit:

A bill to be entitled,

An act to authorize the Grand Gulf Rail Road and Banking Company, to sell their said way;

An act to establish a lunatic asylum for the State of Mississippi;

An act making certain appropriations therein named;

Approved March 4th, 1848.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of Representatives have passed the following joint resolution, to-wit:

Resolved, (with the concurrence of the Senate,) that a joint committee of five, on the part of the House, and on the part of the Senate, be appointed to wait on his Excellency the Governor, and inform him that the two houses have discharged all the business before them, and are now ready to adjourn *sine die*, and ascertain of him whether he has any further communications to present to the Legislature;

And have appointed as said committee, on the part of the House, Messrs. Dilworth, Ellis, Henry, Hall, Campbell of Franklin;

In which I am instructed to desire the concurrence of the Senate.

Mr. Labauve offered the following resolution:

Be it unanimously resolved, that the members of this Senate part with each other with the best feelings of brotherly love, and invoke the blessing of God upon each other during life;

Which was adopted unanimously.

Mr. Labauve offered the following resolution, to-wit:

"*Resolved*, that the Secretary be instructed to inform the House of Representatives that the Senate have completed its business, and are now ready to adjourn *sine die*;

Which was adopted.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

Mr. President—I am instructed by his Excellency, the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

A resolution of the Legislature of the State of Mississippi in relation to the death of the honorable John Quincy Adams;

A resolution of the Legislature of the State of Mississippi in relation to the Mexican War;

An act to authorize a change of venue in certain cases;

A resolution in relation to the Secretary of the Senate;

An act to repeal the 4th section of an act, entitled an act for the suppression of tippling houses, and to discourage and prevent the odious vice of drunkenness, approved February 9th, 1839, and for other purposes;

An act for the relief of Mary Mattauer a woman of color, the wife of Henry Mattauer a free man of color;

Memorial of the Legislature of the State of Mississippi to the Congress of the United States, praying a change in the system of transporting the mail;

An act in relation to taxes of lands in this State;

An act to provide for a committee for the examination of the books of the Auditor of Public Accounts, Treasurer and Executive Department of the State, and for other purposes, approved March 4th, 1848.

Mr. Lake called for the consideration of a bill from the House of Representatives, to be entitled,

An act to change the name of Mary H. Sterry, to Mary H. Parker;

And the question being had on said call,

It was lost.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

Mr President—I am instructed by his Excellency the Governor, to inform the Senate that he has this day approved and signed the following bills, to-wit:

An act for the relief of the officers and privates of Company "I" of the Marshall Guards, of the 1st Regiment of Mississippi Rifles;

An act for the relief of John T. Johnson;

An act to amend an act to establish a system of common schools, and for other purposes, approved 4th March, 1846;

An act to increase the compensation of District Attorneys of the State;

An act to provide and establish common schools in the counties of Hinds, Holmes, Amite, Tunica, Jefferson, Wilkinson, and Lawrence, approved March 4th, 1848.

On motion of Mr. Boone,

Messrs. Gray and Bradford were added to the committee on enrolled bills.

Mr. Cannon offered the following resolution, viz:

Resolved, that D. F. Dozier, Secretary of the Senate, and the assistant Secretaries have performed their various duties with strict fidelity and that urbanity which calls for the commendation of this Senate.

On motion of Mr. Guion,

The Door-keeper was added,

And said resolution as amended, unanimously adopted.

Mr. Cannon moved a recess for one hour,

Which prevailed.

The recess having expired,

The Senate met.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

Mr. President—I am instructed by his Excellency the Governor, to inform the Senate that he has approved and signed the following bills, to-wit:

An act to authorize the president and directors of the West Feliciana Railroad Company, to close up the banking department of that institution, and for other purposes, March 4th, 1848;

I am also instructed by the Governor to deliver to the Senate a message in writing, March 4th, 1848.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

To the Senate:—

I herewith return to the Senate without my approval, "An act to amend the acts regulating the mode of proceeding against incorporated banks for a violation of the corporate franchise, approved July 26th, 1843," for the following reasons:

The second section of the act provides that "when there are two or more persons liable upon the same debt or demand, that it shall be lawful for such trustee or trustees, commissioner or commissioners to compromise with, and release any one or more of them without impairing the obligation or liability of the others."

The only qualifications to the clause are, that the release of a a principal shall release his surities, and a release of an endorser or endorsers shall release all subsequent endorsers.

In the execution of contracts where there are joint obligors, the obligation is mutual, and each is bound for the whole amount of the debt. This is often the chief consideration of the several obligers—inducing them to enter into the contract. If they had understood that at any time the obligee or trustee could at pleasure release one or more of their co-obligors without their consent, it would have constituted an insurmountable objection to entering into the contract; for the obligee might, for a trifle paid under a pretended compromise, release a friend or favorite while the liability of the other obligors would remain to pay all the balance of the debt. In a large number of cases, and especially in the execution of obligations to banks, the principal and sureties appear on the face of the note as joint principals. In numerous instances the individual on whose account a note is executed, does not appear first in the note, and the trustee could, under this section of the act, release the principal by a compromise, thereby throwing upon the other apparent principals, (but who, in truth, are sureties,) the burthen of paying the debt. In either of these cases, it is clear to my mind, the obligation of the original contract is changed; and as this would be the result by the operation of the act under consideration, I regard it clearly unconstitutional; for the law under which the contract was made provides for the release of one obli-

gor releases the others, and this law provides that while one or more may be released, the obligation of the others shall remain.

I have other serious objections to the act on grounds of expediency, which for the want of time I shall omit: the constitutional objection presented is one sufficient to induce me to withhold my official sanction.

J. W. MATTHEWS,

EXECUTIVE CHAMBER,
Jackson, March 4th, 1848.

On motion of Mr. Briscoe,

The Senate proceeded to the consideration of said message forthwith;

And forthwith the question was had, "shall this bill pass notwithstanding the veto of his Excellency the Governor,"

Which was lost.

The ayes and noes thereon, are as follows:

AYES—Messrs. Alcorn, Briscoe, Dabney, Gray, Guion, Lake, Pettus, and Singleton—8 votes.

NOES—Mr. President, Messrs. Boone, Bradford, Cannon, Greer, Kennedy, Labauve, McDugald, Pegues, Ramsay, Sharpe, and Wilborne—12 votes.

The following message was received from his Excellency the Governor, through his private Secretary, to-wit:

To the Senate:—

I respectfully beg leave to withdraw for correction my message of —— ultimo, nominating Samuel Matthews for the office of State Commissioner.

J. W. MATTHEWS,

EXECUTIVE CHAMBER,
March 4th, 1848.

On motion of Mr. Cannon,

His Excellency the Governor had leave to withdraw said nomination.

And forthwith the following communication was received from his Excellency, the Governor, through his private Secretary, to-wit:

EXECUTIVE CHAMBER, March 4th 1848.

To the Senate:

I hereby nominate Samuel Matthews to the office of State Com-

missioner, in place of James R. Young, removed, and respectfully ask the concurrence of the Senate.

J. W. MATTHEWS.

On motion of Mr. Labauve,

The Senate went into secret session, with closed doors, on said message.

Mr. Cannon from a joint select committee, made the following report, to-wit:

MR. PRESIDENT—The committee on the part of the Senate, appointed to wait on his Excellency, the Governor, and inform him that we have completed our legislative duties, and inquire if he had any other communication to make, have performed that duty, and I am instructed to report, that his Excellency has no further communications to make to the Senate.

On motion of Mr. Stone,

The report was received.

The following message was received from the House of Representatives, through their Clerk, to-wit:

MR. PRESIDENT—The House of have adopted the following resolution, to-wit:

Resolved, that the Clerk inform the Senate that the House of Representatives have completed its business, and are now ready to adjourn *sine die*.

On motion of Mr. Briscoe,

The Senate adjourned *sine die*.

The President thereupon arose and delivered the following address:

Senators:—The period that terminates our legislative duties has arrived. For two months we have been laboriously engaged in endeavoring to devise new measures and perfect old ones for the good of our beloved Mississippi. How far we have succeeded, time alone will develope. God grant that all the good their most ardent friends have anticipated, may result from the important meaasures of public policy we have adopted, and that all the evils feared by their opponents may be averted. We anxiously look forward to the time when our State may be relieved from all embarrassment.

When called upon to preside over your deliberations, I entered upon the duties you assigned me with a trembling distrust of my

abilities. But trusting to your courtesy and kind indulgence of my imperfections, I determined to attempt to obey your wishes. My confidence has been more than realized. If ever a presiding officer had reason to congratulate himself on the high and honorable bearing, the courtesy and liberal feeling, of the individual members of the body with which he was officiated, that privilege is surely mine on the present occasion. Your first, and every succeeding act towards me, has been unmingled kindness and urbanity. You have borne with my weakness and have kindly aided me when the occasion required it.

Senators: with a heart full of gratitude, I thank you most sincerely. If, as indicated by your resolution on my table, I have to any extent, met your wishes or filled your expectations, I am more indebted for it, to your indulgence than to my own acquaintance with parliamentary rules, or to any aptitude I may have possessed as a presiding officer. I am sensible that I have often erred in my judgment upon points of order. If I have, imprudently or impatiently, in my attempts to preserve order, wounded the feelings of any Senator on this floor, I ask pardon for the offence. My conscience bears me witness, that I have always come to my conclusions without partiality. God knows, I would not unnecessarily trespass upon the feelings of any human being. For one and all of you, I entertain the kindest feelings, and cherish a personal regard, which time nor circumstance, I trust, shall never abate.

Senators: we separate—all of us to meet no more on earth. The ever rolling stream of time is bearing us on its bosom to the spirit land. God grant you all a safe and happy return to your dear families and friends, and at last a resting place in that "House not made with hands—eternal in the heavens." Senators, farewell. I pronounce the Senate adjourned, according to order, *sine die*.

DABNEY LIPSCOMB, President.

DAVID F. DOZIER, Secretary of the Senate.

A STATEMENT, showing the amount drawn for mileage and per diem compensation, by the members, clerks, door-keepers, and sergeant-at-arms, during the session of the legislature commencing 3rd January, 1848.

Counties.	Names of members.		No. of miles charg'd	Mileage—Compensation.	No. of days charg'd	Per diem compensation.	Total compensation.	Total expense of each county.	Am't over drawn
Adams,	Robert Stanton	r	242	48 40	62	248 00	296 40	296 40	
Amite,	E. M. Davis	s	220	44 00	62	248 00	292 00		
	D. W. Hurst	r	200	40 00	38	152 00	192 00		
	Jehu Wall	r	248	49 60	44	176 00	225 60	709 60	
Attala,	Henry Gray	s	174	34 80	62	248 00	282 80		
	Jas. T. McAfee	r	170	30 00	63	252 00	286 00		4 00
	E. H. Sanders	r	140	28 00	62	248 00	276 00	844 80	
Bolivar,	Jas. B. Smith,	r	600	120 00	62	248 00	368 00		
	J. J. B. White	s	130	26 00	62	248 00	274 00	642 00	
Carroll,	B. Kennedy	s	200	40 00	62	248 00	288 00		
	James Liddell	r	240	48 00	62	248 00	296 00		
	G. F. Neill	r	206	41 20	62	248 00	289 20		
	Joshua Whitmore	r	200	40 00	61	244 00	284 00	1157 20	
Chickasaw,	R. G. Steele	r	350	70 00	62	248 00	318 00		
	Jas. F. Walker	r	310	62 00	62	248 00	310 00		
City Natchez,	Seth C. Cox	r	226	45 20	62	248 00	293 20	293 20	
City Vicksburg,	E. M. Mason	r	94	18 80	62	248 00	266 80	266 80	
Choctaw,	Edward Johnson	s	250	50 00	63	252 00	302 00		4 00
	Geo. Huie	r	250	40 00	62	248 00	298 00		
	M. W. Trigg	r	250	50 00	62	248 00	298 00	898 00	

Claiborne,	Parmenas Briscoe	s	150	30 00	62	248 00	278 00			
	Richard Valentine	r	150	30 00	62	248 00	278 00	556 00		
Clark,	J. J. McRae (Sp'k.)		200	40 00	62	372 00	412 00	412 00		
Copiah,	P. S. Catchings	s	80	16 00	62	248 00	264 00			
	J. K. Hill	r	86	17 20	62	248 00	265 20			
	John Holden	r	110	22 00	62	248 00	270 00	799 20		
Covington,	Jos. McAffee	s	116	23 20	62	248 00	271 20			
	Duncan M'Lauren	r	120	24 00	62	248 00	272 00	543 20		
Coahoma,	J. L. Alcorn	s	750	150 00	62	248 00	398 00			
	T. M. Nash	r	750	150 00	56	224 00	374 00	772 00		
De Soto,	Felix Labauve	s	440	88 00	62	248 00	336 00			
	Jno. W. Campbell	r	500	100 00	62	248 00	348 00			
	R. C. Hancock	r	500	100 00	61	244 00	344 00			
	J. J. Williams	r	500	100 00	41	164 00	264 00	1292 00		
Franklin,	C. C. Campbell	r	180	36 00	62	248 00	284 00	284 00		
Green,	John McGinnis	r	350	70 00	64	256 00	326 00	326 00	8 00	
Hancock,	J. B. Toulme	r	400	80 00	62	248 00	328 00	328 00		
Harrison,	Brantley Bond	r	375	70 00	62	248 00	318 00	318 00		
Hinds,	John I. Guion	s			62	248 00	248 00			
	T. J. Catchings	r	48	9 60	62	248 00	257 60			
	Ro. White	r	66	13 20	61	244 00	257 20			
	H. G. Johnson	r	20	4 00	62	248 00	252 00	1014 80		
Holmes,	D. C. Sharpe	s	150	30 00	62	248 00	278 00			
	Walter Brooke	r	150	30 00	62	248 00	278 00			
	A. M. West	r	130	26 00	62	248 00	274 00	830 00		

STATEMENT (*Continued.*)

Counties.	Names of members.		No. of miles charg'd	Mileage—Compensation.	No. of days charg'd	Per diem compensation.	Total compensation.	Total expense of each county.	Am't over drawn
Itawamba,	Russell O. Beene	s	420	84 00	62	248 00	332 00		
	W. C. Cypert	r	420	84 00	62	248 00	332 00		
	James C. Hinds	r	420	84 00	62	248 00	332 00		
	A. J. M'Williams	r	420	84 00	62	248 00	332 00	1328 00	
Jackson,	A. W. Ramsay	s	360	72 00	64	256 00	328 00		8 00
	John Davis	r	400	80 00	62	248 00	328 00	656 00	
Jasper,	James M'Dugald	s	164	32 80	64	256 00	288 80		8 00
	L. B. Ellis	r	170	34 00	62	248 00	282 00	570 80	
Jefferson,	George Torrey	r	160	32 00	60	240 00	272 00	272 00	
Jones,	Drury Bynum	r	180	36 00	63	252 00	288 00	288 00	4 00
Issaquena,	M. Powell	r	280	56 00	62	248 00	304 00	304 00	
Kemper,	John J. Pettus	s	240	48 00	62	248 00	296 00		
	L. J. Garret	r	220	44 00	62	248 00	292 00		
	Q. Y. Neeley	r	240	48 00	62	248 00	296 00	884 00	
Lafayette,	James Brown	r	360	72 00	62	248 00	320 00		
	A. H. Pegues	s	375	75 00	62	248 00	323 00		
	J. F. Cushman	r	360	72 00	62	248 00	320 00	963 00	
Lauderdale,	W. P. Carter	s	226	45 20	62	248 00	293 20		
	C. G. Clayton	r	230	46 00	48	192 00	238 00		
	Benj. Carroll	r	210	42 00	62	248 00	290 00	821 20	

Lawrence,	W. A. Stone	s	130	26 00	28	112 00	138 00		
	Wm. Weathersby	r	130	26 00	62	248 00	274 00	412 00	
Leake,	W. M. Hall	r	120	24 00	62	248 00	272 00	272 00	
Lowndes,	D. Lipscomb	prest.	300	60 00	62	372 00	432 00		
	Eli Abbott	r	300	60 00	62	248 00	308 00		
	John T. Connell	r	280	56 00	62	248 00	304 00		
	James Whitfield	r	300	60 00	62	248 00	308 00	1352 00	
Madison,	O. R. Singleton	s	50	10 00	62	248 00	258 00		
	Saml. Ford	r	94	18 80	60	248 00	266 80		
	Patrick Henry	r	20	4 00	60	240 00	244 00	768 80	
Marion,	Elias C. Stewart	r	230	46 00	61	244 00	290 00	290 00	
Marshall,	Ro. S. Greer	s	420	84 00	62	248 00	332 00		
	J. C. Alderson	r	420	84 00	62	248 00	332 00		
	Rich'd Phillips	r	420	84 00	62	248 00	332 00		
	J. J. Steger	r	460	92 00	62	248 00	340 00		
	C. L. Thomas	r	440	88 00	62	248 00	336 00	1672 00	
Monroe,	Jas. E. Harrison	s	330	66 00	62	248 00	314 00		
	J. T. Fortson	r	330	66 00	62	248 00	314 00		
	Lock E. Houston	r	350	70 00	62	248 00	318 00	946 00	
Neshoba,	A. B. Wooldridge	r	180	36 00	62	248 00	284 00	284 00	
Newton,	Wm. Thames	r	160	32 00	62	248 00	280 00	280 00	
Noxubee,	A. W. Dabney	s	260	52 00	55	220 00	272 00		
	George H. Foote	r	260	52 00	62	248 00	300 00		
	Samuel Moore	r	230	46 00	58	232 00	278 00	850 00	
Oktibbeha,	W. R. Cannon	s	268	53 60	61	244 00	297 60		
	S. C. Harrington	r	254	50 80	57	228 00	278 80	576 40	

STATEMENT (*Continued.*)

Counties.	Names of members.		No. of miles charg'd	Mileage—Compensation.	No. of days charg'd	Per diem compensation.	Total compensation.	Total expense of each county.	Am't over drawn
Perry,	P. J. Myers	r	230	46 00	59	236 00	282 00	282 00	
Pike,	Jesse Brumfield	r	216	43 20	61	244 00	287 20	287 20	
Panola,	T. F. Wilson	r	410	82 00	62	248 00	330 00	330 00	
Pontotoc,	J. D. Bradford	s	360	72 00	55	220 00	292 00		
	Jacob Bardin	r	400	80 00	62	248 00	328 00		
	Henry Duke	r	360	72 00	62	248 00	320 00		
	Wm. Melton	r	400	80 00	62	248 00	320 00	1268 00	
Rankin,	J. V. Hodges	s	100	20 00	63	252 00	272 00		4 00
	F. J. Lynch	r	30	6 00	62	248 00	254 00	526 00	
Scott,	A. H. Metcalf	r	110	22 00	62	248 00	270 00	270 00	
Simpson,	J. M. Dampier	r	90	18 00	63	252 00	270 00	279 00	4 00
Smith,	Saml. Noble	r	100	20 00	62	248 00	268 00	268 00	
Tallahatchie,	Jos. P. Foree	r	290	58 00	60	240 00	298 00	298 00	
Tunica,	R. H. Byrn	r	800	160 00	62	248 00	408 00	408 00	
Tippah,	N. S. Price	s	500	100 00	58	232 00	332 00		
	S. W. Echols	r	500	100 00	65	260 00	360 00		12 00
	Wm. H. Foote	r	500	100 00	62	248 00	348 00		
	J. H. Gatlin	r	500	100 00	62	248 00	348 00		
	J. G. Hamer	r	500	100 00	62	248 00	348 00	1736 00	
Tishemingo,	R. H. Boone	s	550	110 00	61	244 00	354 00		
	J. F. Arnold	r	550	110 00	62	248 00	358 00		

Tishemingo,	A. B. Dilworth	1	550	110 00	62	248 00	358 00			
	S. S. Hogue	r	550	110 00	61	244 00	354 00			
	Melkijah Suratt	r	550	110 00	62	248 00	358 00	1782 00		
Warren,	Wm. A. Lake	s	100	20 00	62	248 00	268 00			
	D. B. Nailor	r	100	20 00	64	256 00	276 00	544 00	8 00	
Washington,	J. S. Yerger	r	400	80 00	49	196 00	276 00	276 00		
Wilkinson,	H. F. Simrall	r	320	64 00	63	252 00	316 00		4 00	
	T. Jones Stewart	s	300	60 00	63	252 00	312 00	628 00	4 00	
Wayne,	John West	r	260	52 00	62	248 00	300 00	300 00		
Winston,	M. T. Collier	r	224	44 80	62	248 00	292 80			
	S. W. Godfrey	r	200	40 00	62	248 00	288 00	580 80		
Yallobusha,	W. B. Wilbourne	s	284	56 80	62	248 00	304 80			
	B. T. Cleveland	r	300	60 00	62	248 00	308 00			
	Henderson Ray	r	314	62 80	62	248 00	310 80			
	Jas. Weir	r	296	59 20	62	248 00	307 20	1230 80		
Yazoo,	S. P. Slade	r	100	20 00	62	248 00	268 00			
	H. J. Thomas	r	94	18 80	62	248 00	266 80	534 80		
Sunflower.	Geo. B. Wilds	1	280	56 00	62	248 00	304 00	304 00		

STATEMENT (*Continued.*)

	Names of Officers.	No. of days charged.	Per diem compensation.	Am't over ch'd.
SENATE CLERKS.	D. F. Dozier, Sec'y Senate,	62	372 00	
	W. B. Tebo, cl'k Senate,	62	248 00	
	J. B. Weller,	62	248 00	
	B. F. Dill,	62	248 00	
	John S. Holt,	62	248 00	
	W. R. Scurlock,	62	248 00	
	C. Y. Hutchinson,	62	248 00	
	Jos. Bennett,	61	244 00	
	F. A. Wolff,	62	248 00	
	S. W. Francis,	62	248 00	
	J. T. Simms,	21	84 00	
	W. V. Cavanah, Door-keeper,	62	186 00	
CLERKS—House of Rep.	E. P. Russel, Cl'k House Rep.	66	396 00	
	J. M. Childs,	62	248 00	
	E. M. Lawrence,	66	264 00	
	N. G. North,	62	248 00	
	G. W. Jones,	41	164 00	
	J. Z. George,	26	104 00	
	Rufus Hopkins,	54	216 00	
	Jas. S. Fall,	31	124 00	
	Wm. Johnson,	62	248 00	

Thos. G. Farrar,	56	224 00	
T. B. Ozment,	62	248 00	
Wm. D. Larkin,	62	248 00	
T. N. Martin,	62	248 00	
Wm. Marmon,	7	28 00	
Ro. Dawson,	6	24 00	
A. S. Bailey, Sergent-at-arms,	67	268 00	24 00
Pollard Mullins, Door-keeper,	64	192 00	6 00
L. V. Dixon, clerk,	27	108 00	

AUDITOR'S OFFICE, March 4th, 1848.

GEO. T. SWANN,
Auditor of Public Accounts.

8—61

361

STATEMENT A.—Disbursements on account of Militia Department.

	TO WHOM ISSUED.	FOR WHAT SERVICE.	
1843.	Stanhope Posey,		$ 25 00
January.	" "		25 00
	" "	1 year's salary as Assistant Quartermaster General,	20 00
	" "		20 00
	" "		10 00
	F. M. Tucker,	1 month's service as Adjutant General, - - -	33 33⅓
March.	Lewis L. Taylor,	For one quarter's salary as Quartermaster, - - -	37 50
April.	F. M. Tucker,	For services as Adjutant General, - - - -	20 00
	F. M. Tucker,	" " " " " - - - - -	24 44⅓
	F. M. Tucker,	" " " " " - - - - -	33 33⅓
May.	F. M. Tucker,	" " " " " - - - - -	20 00
	F. M. Tucker,	" " " " " - - - - -	29 99
June.	L. L. Taylor,	For one quarters salary as Quartermaster, - - -	37 50
July.	F. M. Tucker,	" services as Adjutant General, - - - -	20 00
	F. M. Tucker,	" " " " " - - - - -	20 00
	F. M. Tucker,	" " " " " - - - - -	10 00
August.	F. M. Tucker,	" " " " " - - - - -	61 93
Sept.	Isaac Chrisman,	" L. L. Taylor's quarter's salary as Quartermaster, -	37 50
Nov.	F. M. Tucker,	" services as Adjutant General, - - - -	20 00
	F. M. Tucker,	" " " " " - - - - -	62 20
Dec.	Isaac Chrisman,	" L. L. Taylor's quarter salary as Quartermaster, -	37 50
		Total for 1843,	$ 605 23⅓

STATEMENT B—Disbursements on acccount of Militia Department for year 1844.

1844.	TO WHOM ISSUED.	FOR WHAT SERVICE.	AMOUNT.
February.	F. M. Tucker,	as Adjutant General, - - - - -	$ 31 56
	F. M. Tucker,	" " " - - - - -	10 40
	F. M. Tacker,	" " " - - - - -	7 31
March.	Isaac Chrisman,	For Lewis Taylor's services as Quartermaster General, -	16 88
May.	J. R. Young,	" services as Adjutant General, - - -	77 62
June.	Wm. M. Smyth,	" " " Quartermaster General, - - -	62 50
July.	B. C. Buckley,	" one quarter's salary as Adjutant General, - -	100 00
	W. M. Smyth,	" one month's services as Quartermaster, - -	12 50
Sept.	Isaac Chrisman,	" B. C. Buckley's quarter salary as Adjutant General, -	100 00
	Wm. Gibbons,	" services as aid to the Governor, (nine days,) - -	36 00
Oct.	G. D. Mitchell,	" " " drill master, 22 days, by order of the Governor,	66 00
	Wm. Gibbons,	" " " aid to the Governor, 10 days, - -	40 00
	B. C. Buckley,	" " " member of the Governor's staff, reviewing, -	60 75
	B. C. Buckley,	" " " " " " " " " -	31 25
Nov.	W. M. Smyth,	" 3 months services as Q'r. master, & for fr't. on public arms,	45 00
	R. Elward & Co.,	" record book for military commissions, - -	22 50
Dec.	J. M. Acker,	" John F. Brook's services as Brig. Qr. master on review,	39 00
	James Roach,	" services as Brigade Inspector, - - - -	80 00
	James Roach,	" " " " " - - -	66 00
	A. Van Bibber,	" " " aid to the Governor, - - -	52 00
	Wm. Morris,	" B. C. Buckley's salary as Adjutant General, - -	100 00
		Total for the year 1844,	$ 1057 27

STBTEMENT C—Disbursements for the year 1845, *on account of Militia Department.*

1845.	TO WHOM ISSUED.	FOR WHAT SERVICE.	AMOUNT.
February.	W. M. Smyth,	For 1 qr's. salary as ass't. Qr. master and for blank comm's &c.	$ 54 25
	S. B. Dougherty,	" 1 years salary as assistant Quartermaster, - -	100 00
March.	Daniel Thomas,	" 1 quarter's salary, B. C. Buckley, as Adjutant General,	100 00
	D. H. Dickson,	" 25 days as drill master, by order of Governor, - -	75 00
April.	Wn. Hemmingway,	" 7 " " " " by D. H. Dickson, by order, -	35 00
	D. H. Dickson,	" 21 " " " " order of Governor, - - -	63 00
	J. E. Matthews,	" B. C. Buckley, quarter's salary as Adjutant General, -	100 00
June.	S. D. Martin,	" 15 days as Aid-de-camp to his excellency, the Governor,	60 00
	C. A. Butler,	" 6 " " drill master, performed by D. H. Dickson, -	32 00
	W. Morris,	" 28 " " Aid-de-camp to the Governor by D. H. Dickson,	112 00
	J. W. Shaw,	" D. H. Dickson's quarter's salary, assistant Qr. master Gen'l.	25 00
	Wm. M. Smyth,	" 4 months' services as Quarter master General, - -	50 00
July.	B. C. Buckley,	" services as aid to the Governor, 30 days, - - -	120 00
	E. R. Buckner,	" 2 quarters' salary as assistant Quartermaster, - -	50 00
	Richard Elward,	" 6 " " " " - - - -	150 00
	D. H. Dickson,	" 2 months' services as " " - - -	16 66⅔
August.	Wm. M. Smyth,	" 2 months' services as Quartermaster General, - -	25 00
	R. B. Kirkland,	" 9 " and 23 days assistant Quartermaster General, -	81 30
Sept.	B. C. Buckley,	" 1 quarter's salary as Adjutant General, - - -	100 00
Oct.	T. H. Gillespie,	" services as Brigade Inspector, - - - - -	36 00
	James Roach,	" " as aid to the Governor, - - - - -	40 00

	W. M. Smyth,	"	" 2 months as Quartermaster, - - - -	25 00
Nov.	J. J. Durham,	"	" as Brigade inspector, 11 days, - - - -	33 00
	Thomas Fletcher,	"	" as assistant Quartermaster, 11 months, - -	91 66
Dec.	B. C. Buckley,	"	" as Adjutant General, 1 quarter, - - -	100 00
			Total for the year 1845,	1674 87½

STATEMFNT D.—Disbursements on account of the Militia Department, 1846.

1846.	TO WHOM ISSUED.	FOR WHAT SERVICE.	AMOUNT.
January.	James Carpenter,	To Charles G. Box, as Brigade Quarter-master, -	$ 28 00
	Richard Elward,	" 2 quarters salary as assistant Quarter-master General,	50 00
	C. G. Box, -	" attendance on brigade court martial, - -	50 00
	Saml. Matthews,	" 2 quarters salary to E. F. Buckner, as Asst. Quartermaster,	50 00
	William M. Smyth,	" 1 months services as Quartermaster, - -	12 50
	Jackson Breeland,	" attendance on brigade court martial, - -	20 00
	D. A. Hall, -	do do - - -	20 00
	A. M. Winn, -	For member of the staff of the Commander-in-Chief on review,	208 00
	C. E. J. Stewart,	" as Adjutant of the Governor, - - -	56 00
February.	Wm. M. Smyth,	" 1 month's services as Quarter-master General, -	12 50
March.	H. H. Davis, -	" L. R. Barbor's services as brigade Quarter-master, 11 days,	33 00
April.	Wm. Smyth, -	" 1 month's services as Quarter-master General, -	12 50
	S. B. Dougherty,	" 1 year's salary as Asst. Quarter-master General, -	100 00
May.	B. C. Buckley, -	" 1 quarter's salary as Adjutant General, - -	100 00
June.	W. P. Harris, -	" 1 do do Quarter-master General, -	37 50
	J. M. Duffield, -	" services as drill-master, by order of the Governor, -	120 00
	B. C. Buckley, -	" 1 quarters' salary as Adjutant General, - -	100 00
	R. B. Miller, -	" 2 quarters' salary as Assistant Quarter-master General,	25 00
July.	Wm. Morris, -	" 2 quarters' salary to E. R. Buckner, as Asst. Quarter-mas.	50 00
	B. C. Buckley, -	" services 8 days in the Governor's staff, - -	32 00
	W. P. Harris, -	" 1 month's salary as Quarter-master General, -	12 50
	Saml. Stamps, -	" B. C. Buckley, services as adjutant Ceneral, -	21 36
August.	Saml. Dougherty	" 2 quarter's salary as Assistant Quarter-master General,	50 00

	Richard Elward, -	For 2 quarters salary as Assistant Quarter-master, -	$ 50 00
	Wm. Morris, -	" D. H. Dickson's services as drill master, by order of Gov.	202 00
Septem.	A. M. Winn, -	" 4 years services as Ass't. Q. M. and member of the staff,	520 00
	Sol. Tift, -	" 1 qrs. salary of R. B. Miller as Ass't. Quarter-master,	25 00
October.	J. W. Miller, -	" do do G. D. Mitchell as Quarter-master General,	37 50
	W. P. Harris, -	" do do as Adjutant General, - - -	100 00
Novem'r.	J. J. Durham, -	" services as Brigade Inspector, - - -	50 00
	Saml. Dougherty,	" 1 qrs. salary as Assistant Quarter-master, - -	25 00
Dec'r.	Sol. Tift, -	" 1 qrs. salary to R. B. Miller as Assistant Quarter-master,	25 00
	E. R. Buckner, -	" 2 qrs salary as Assistant Quarter-master General, -	50 00
		Total, - - - -	2285 86

STATEMENT E.—Disbursements on account of Militia Department for 1847.

1846.	TO WHOM ISSUED.	FOR WHAT SERVICE.	AMOUNT.
January.	G. D. Mitchell- -	For services as Aid-de-camp, - - - -	$ 12 00
	R. B. Miller, -	" do do - - - -	12 00
	B. G. Weir, -	" J. D. Mitchell's salary as Quarter-master General,	31 25
	James McDougald,	" as Aid-de-camp, - - - -	50 00
	W. P. Harris, -	" " Adjutant General, - - - -	100 00
	G. D. Mitchell, -	" " Quarter-master General, - - -	72 00
	Richard Elward,	" " Assistant Quarter-master General, - -	50 00
	Samuel Dougherty,	" " do do do - -	25 00
February.	Walter Denny, -	" G. C. Box's services as Aid-de-camp, - -	6 00
	do do	" John Cowan's services in attending brigade court martial,	20 00
	B. C. Buckley, -	" R. Miller, qr. salary as Assistant Quarter-master, -	25 00
	D. C. Glenn, -	" W. P. Harris' quarter salary as Adjutant General,	100 00
April.	L. K. Barbor, -	" Brigade Inspector, - - - -	30 00
	S. B. Dougherty,	" Assistant Quarter-master 2d qr. salary, - -	25 00
May.	A. C. Blair, -	" A. P. Cobb's services as Aid-de-camp, - -	90 00
June.	L. R. Stuart, -	" Assistant Quarter-master, 3 years 3 months, -	325 00
	W. P. Harris, -	" R. B. Miller's quarter salary as Assistant Quarter-master,	25 00
July.	Thos. Fletcher, -	" R. Elwards' 2 qrs. salary as Assistant Quarter-master Genl.	50 00
August.	Saml. Dougherty,	" quarter's salary as Assistant Quarter-master, -	25 00
	W. P. Harris, -	" do do Adjutant General, - -	100 00
Septem.	D. C. Gay, -	" G. D. Mitchell's salary as Quarter-master General,	75 00
	B. G. Buckley, -	" R. B. Miller's qr. salary as Assistant Quarter-master,	25 00
October.	James E. Matthews,	" G. D. Mitchell's qr. salary as Quarter-master General,	37 50

Novem.	David H. Dickson,	"	Aid-de camp to his excellency the Governor,	96 00
	David C. Glenn,	"	W. P. Harris' salary as Quarter-master General,	90 00
Dec'r.	S. B. Dougherty,	"	quarter's salary as Assistant Quarter-master General,	25 00
			Total,	1521 75

STATEMENT F.—Disbursements on account of Militia Department, for Jan'y. 1, 1848.

1846.	TO WHOM ISSUED.	FOR WHAT SERVICE.	AMOUNT.
January.	Thomas Palmer,	For G. D. Mitchell's quarter salary as Quarter-master Gen'l.	$ 37 50
		Total,	37 00

REPORT OF THE SECRETARY OF STATE.

To His Excellency, Albert G. Brown, Governor of the State of Mississippi:

SIR: The undersigned, Secretary of State of the State of Mississippi, and ex-officio general school commissioner, has the honor to report, that he has received communications containing information contemplated by the law "to establish a system of common schools," &c., from the following named counties:

As, however, no compulsion rests upon school commissioners elect, to accept their stations or perform the duties belonging to them, it is not surprising perhaps that these reports are comparatively few, and not so full and accurate as could be wished.

The board of commissioners for the county of Adams, reported on the 17th June last, that the amount of land in that county applicable to school purposes, under the act of March 1846, was 5,445 acres—that these lands were disposed of under the provisions of that law at from $1 25 to 30 00 per acre, amounting in all to the sum of $14,834. But the amount of cash received from all sources was too small to enable them to establish any schools. They further state that the quantity of land was found to be very much less than that to which the county was by estimation entitled, and claim some provision of law to make up the deficiency. It is presumed that this deficit arises from the great amount of old grants in Adams county made under the Spanish and English governments. It is distinctly stated by these commissioners, that some of the townships of that county are wholly destitute of any provision in this way, and that only three have their full proportion of land.

One of the commissioners for Covington county reports, under date 30th December, 1846, that they have on hand one hundred dollars, arising from retail licenses; and states that the leasing of school lands have not been completed, for the reason that many persons thought the proceedings irregular. In that county, there were, at the date of the report, no schools organized in accordance

with the late act. No more recent official intelligence has been received.

In the county of Hancock, the commissioners report in August, that they have been duly organized and made some progress in preliminary measures. They report $2,303 as the result of the sales of 15 sections of school land, though it mentioned that "10 of these fell back upon the hands of the commissioners," and that eight others did not bring the minimum limit of $50 per section, and in consequence remained unsold; so that it appears only five sections were actually sold, the seperate value of which is not stated. They have no information of any other funds applicable to school purposes, nor have they any licensed teachers. Owing to the sparseness of their population, they do not deem taxation for school purposes expedient in this county, but are nevertheless in favor of the law as it stands.

In the county of Hinds as per June report, there are three schools receiving aid under the provisions of the act (all in township 6, range 1, west,) comprising three teachers and seventy-three scholars. This arrangement, as reported, however, was to end on the seventh of November ultimo.

The commissioners think that the interest of the 16th section fund will support these schools. The treasurer has on hand $1,750 and there are some two or three hundred dollars due. No other schools have as yet gone into operation, and some townships have protested, though the commissioners seem to anticipate more favorable results in future.

In Holmes county as per last June report, there were three schools with four teachers and ninety-eight scholars. No fund has been derived from 16th sections, and it is urged that much delay exists on the part of those heretofore entrusted with school funds, in placing them in the hands of the properly authorized treasurer, and consequently embarrassment, on the part of the commissioners in contracting with teachers, or incurring any other liabilities, to pay which, the means are not available.

They have received from taxes on the townships assessed, and the several licenses appropriated by the law,	$804 29
And have paid to teachers,	323 81
Leaving a balance on hand of	$480 48

The commissioners of the county of Itawamba, reported in June that there were no schools or school houses in the county organized under the act. The fund on hand derived from retail licenses and fines is $426 00, and appears to be loaned at interest.

In the county of Lauderdale by June report, there was one school in section 16, township 6, of range 16 east, containing 30 scholars, 20 males and 10 females, instructed by one teacher, who receives 252 dollars for nine months services, one hundred dollars of which is derived from 16th section fund, and one hundred and fifty two dollars from the general fund of the county. The funds will sustain a school about half the year. So much opposition is felt to the law that the board have not been able to do any thing beyond the one school reported. The county funds are however accumulating, and the commissioners express the hope that by "following a liberal policy and not hurrying things too much, gradually to wear off the prejudices against the law." In the subsequent (December) report from this county, the board reported that they have no school, though in the absence of positive knowledge, the funds appertaining to common schools, are believed to be nearly sufficient without taxation to support teachers in most of the townships. Opposition to the law is assigned by the secretary as a reason for the general apathy which it obtains.

Under date of 20th inst. a report from the school commissioners of Leake county represents, that much delay occurred in the organization of the board, from the indisposition of appointees to accept, or perform the duties of the office—that "but two schools in this county draw any school funds, and they are both in one township, under the control of township trustees, and average about forty scholars each. Nothing definite as to the kind or amount of funds applicable to common school purposes is given, though it is stated that "four school sections have been sold by the board of school commissioners at last meeting," and that they "sell no lands for less than $1 25 per acre, unless we are petitioned to sell for less."

In Lowndes county (June report) the fund on hand was estimated at from $1200 to $1500. The commissioners are entirely ignorant of the situation of the funds, and as no books have been kept, they have no means of ascertaining the amount either of principal or interest due. One township has accepted the law.

Two schools were in operation with about 25 scholars each, the teachers of which were partly paid by the board, though no stipulation as to the portion thus to be paid is entered into, except that it shall be such "as the board may find it convenient to pay." Much regret is expressed on account of the inadequacy and uncertain condition of the school funds of this county.

In the county of Madison by the last June report of the board of commissioners, there appears to be a large fund for common school purposes arising from the 16th sections, and some of these lands still remain unsold and in dispute. In thirteen of the townships schools are reported, which your commissioner infers are sustained at least in part by means arising out of the sales or rents of school lands. It is distinctly stated that "the commissioners have not taken charge of any funds, entertaining doubts of their right to do so till after the 1st March next." "The people have expressed no willingness in any township to be taxed to support a school."

The board of commissioners in Monroe county, by a very recent report, received on the 29th inst., give information that they organized in June last, but have as yet done nothing further in prosecution of the objects contemplated by the law. Their common school fund from all sources amounts to $1038 03, which is on interest. No schools are reported as deriving any aid from this fund, or as in any way under the supervision of the board.

In Pike county, according to the report of the board of commissioners in June, there were no schools under their supervision. The state of the funds, excepting a very small amount, was represented as altogether uncertain, though the townships and individual citizens have very generally given expressions of sentiment in favor of special taxation for the support of schools.

On the 7th of December, 1846, the commissioners of common schools in Scott county, report that owing to the delay or neglect of the citizens to act in relation to the subject, nothing had been attempted in the way of special taxation, neither had any disposition been made of the 16th sections, consequently no means were available from either of these sources. The treasurer had received $76 from fines and forfeitures which were loaned at 8 per cent interest and considered safe. They further say, "No teachers are employed and no schools in operation." They then expressed the

opinion that "the system will be adopted so as to enable this board to put schools in full and successful operation during the next year." No subsequent report, however, has come to the hands of your commissioner from this county.

In July the board of common school commissioners for Yazoo county report, that there are 21 16th sections in the county, some of which remain unsold, and the others disposed of in various ways, at present however yielding very little if any revenue, to the common school fund, as no teachers in the county appear to be receiving any part of their compensation from this source. In ten townships which have reported to this board, there are said to be 592 children entitled to attend common schools, while only 212 attend school at all. The only funds reported under the control of the board consist of an amount for retail licenses of various kinds equal to $1,430 00

Of which they have loaned on security, 650 00

And have a balance in the treasury of $780 00

As various amendments of, and additions to the act of March, 1846 are suggested and urged in the several reports from which this is made up, your commissioner would respectfully refer the Legislature to those reports on file in his office. Doubtless there are some matters of detail, which having escaped attention at first, may require, in the practical working of the system some additional legislation to remove doubts and prevent consequent delays and failures in this vastly important enterprise.

The counties of Amite, Attala, Bolivar, Carroll, Chickasaw, Choctaw, Claiborne, Coahoma, Copiah, Clarke, Desoto, Franklin, Green, Harrison, Issaquena, Jackson, Jasper, Jefferson, Jones, Kemper, Lafayette, Lawrence, Marion, Marshall, Neshoba, Noxubee, Newton, Oktibbeha, Perry, Panola, Pontotoc, Rankin, Simpson, Smith, Sunflower, Tallahatchie, Tippah, Tishemingo, Tunica, Warren, Washington, Wilkinson, Winston, Wayne, and Yallobusha, have sent in no reports.

From this fact, and the additional one, that in a number of those reporting, there are no organization of schools under the law, there would seem to be a very general opposition to, or at least a great want of confidence in the act of March 4th, 1846, to secure the purposes for which it was designed.

Its unsuitableness to the present condition of the Chickasaw counties is strongly urged as a reason why they have so generally declined acting under its provisions. The want of sanctions in compelling the former holders of school funds, whether of 16th sections or from other sources, to account to the proper authorities under the late law, is also urged with apparent force and reason. Great irregularities, especially in regard to the former and larger source of revenue are frequently mentioned, and much difficulty and loss, as appears to the commissioner, have already occurred from a want of system in the management of these lands and the funds arising from their sale or lease.

In conclusion, your commissioner can only express the hope that the patriotic and benevolent intention of the Legislature in enacting the law, may speedily be met by a more general and zealous effort on the part of the citizens of the State in availing themselves of the abundant resources thus afforded them for conferring upon their children the richest boon their country can bestow.

The commissioner having received so few reports from boards of school commissioners, has judged it best to present them somewhat in detail, though in doing so, he has endeavored to be as brief as his views of the necessities of the case would permit. All of which is most respectfully submitted,

I have the honor to be, very respectfully,

Your most obedient servant,

SAMUEL STAMPS,

JACKSON, Jan. 1, 1848. *Secretary of State.*

INDEX.

ABSENCE—Leave granted to Mr. McDougald. - 358
" " to Messrs. Johnson and Sharp, 358
" " to Mr. Lake, - - 450
" " " " Hodges, - 490
" " " " Cannon, - 490
" " " " Catching, - 490
" " " " McAfee, - - 490
" " " " Dabney, - 562
" " " " Lake, - - 564
" " " " Briscoe, - - 590
" " " " Guion, - - 601
" " " " McAfee, - - 601
" " " " Singleton, - 611
" " " " " - - 636
" " " " Price. - - 862
" " " " White, - - 880
AUDITOR of Public Accounts, communication from, - 615
" " " " " - 656–7
" " " " " - 704–5
ADJOURNMENT, - - - - - 951–2
BILLS—For the relief Mary Colbert, - 354, 360 375
to change the time of holding the probate court of Hinds county, - - - 355, 362
to change the time of holding the probate court of Copiah, - - - - 355
to incorporate Chickasaw Lodge No. 24, of Independent Order of Odd Fellows, - - 355
to incorporate Macon Royal Arch Chapter No. 11, - - - - 355, 362
to change the time of holding the probate court of Amite, - - - - 356, 362
in relation to the probate of deeds, 357, 401, 410
for relief of Z. P. Wardell, - - 357, 362
concerning the pay of tallis jurors, - 358, 375
for the relief of Archibald Maloy of Covington county, - - - - 358, 429, 461
to repeal the act dividing the State into congressional districts, - - - - 360, 375
to extend the time of holding the probate court of Warren county, - - - 360, 375

BILLS—concerning misdemeanors, - - 371, 393
for the relief of T. S. Evans, 372, 392, 393, 403, 410, 436
to dispose of the internal improvement lands of the State, - - - 372, 393
to extend the time of holding the probate court of Monroe county, - - - 372, 393
to incorporate Marshall Lodge No. 25 of Independent Order of Odd Fellows 373, 392, 402
to incorporate Lexington Royal Arch Chapter No. 9, - - - 373, 392, 402
requiring clerks to pay postage in certain cases; 375, 393
for the relief of sheriffs and tax collectors, 383, 496
to attach the county of Claiborne to the 2d district for the election of a judge of the High Court of Errors and Appeals, - 384, 393, 403
for the relief of Wm. Isaac Bruner, 384, 394, 403
to amend the several laws in force in relation to free negroes and mulattoes, - - 384, 394
relative to the acts concerning executions and insolvent debtors, passed June 22d, 1842, 384
to repeal the act incorporating the town of Gallatin, - - - 391, 402, 410
to prohibit the circulation of foreign bank notes in this State, 391, 402, 486, 502, 543, 544, 552, 561
to incorporate Franklin Lodge No. 5 of Independent Order of Odd Fellows, in the town of Port Gibson, - - 392, 402, 410
to incorporate Wildey Lodge No. 1, of I. O. O. F. in Aberdeen, - - 392, 401, 409
to change the time of holding the probate court of Winston, - - 392, 401, 409, 410
to incorporate Canton Royal Arch Chapter No. 10, - - - 392, 402, 409
to repeal an act establishing a vaccine depot in the city of Jackson, - - 403, 411
for the relief of Margaret P. Baskerville, 403, 411, 436
to repeal an act relative to common schools, as to T. 15, R. 1, E, in Noxubee county, 403, 410
to refund to the officers recently engaged in raising the battalion of Mississippi rifles, the money expended by them for that purpose, 406
to change the time of holding the probate court of Smith county, - - 407, 436, 448
supplementary to a bill to authorize P. B. Starke to erect a toll bridge, &c. - 407, 436, 447

BILLS—to abolish capital punishment in this State, 407, 437, 465, 466, 498, 508, 509, 529
in relation to site of U. S. light-house in this State 408
to regulate the proceedings of suits at law or in equity, in certain cases, 408, 437
concerning the probate court of Desoto county, 408, 437
to amend the acts incorporating the Greensboro' Academies, &c. approved 29th January, 1840, 408 438, 448
to exempt certain persons from working on roads, 409 444
to provide for the copensation of talis jurors, 409, 434
to incorpornte the town of Delta, in Coahoma county, 409, 434, 444, 497, 508
to incorporate the town of Lexington, in Holmes county, 409, 434, 444
to apportion road hands in the town of Fulton, on the road leading from Fulton to Pontotoc, 409, 434 444
to incorporate Macon female institute, in the county of Noxubee 444
to increase the salaries of District attornies, 411, 423, 424, 432, 433, 481
to provide for the purchase of 250 copies of Smedes' Digest, 411, 436
to prolong the time of holding the probate court of Leake county, 415, 437
to repeal an act more correctly to define the boundary line between Coahoma and Tunica counties, 475
to change and reduce the corporate limits of the town of Grand Gulf, &c. 417, 483
to provide for the sale of lands purchased by the State for taxes, 417, 454, 487, 502, 503, 540, 597, 598, 610
to provide for the purchase of Chilton's probate court law on practice, 420, 439, 443, 460
to provide for the transmission and return by mail of process in certain cases, 421, 454, 481
to repeal the forthcoming bond law, 421, 449, 457, 458, 471
to provide for furnishing Harvard College one copy of laws, journals, reports, &c. of the State of Mississippi, 421, 449, 461
to appropriate money for the benefit of the Mississippi volunteers now in Mexico, 421, 443, 541

BILLS—to attach portions of the counties of Issaquena and Washington to Yazoo county, 422, 482–3
to authorize the construction of a rail road in Panola county, 422, 439, 448
to change the time of holding the probate courts in Clarke and Jasper counties, 422, 480
to change the time of holding the probate court of Tippah, 423, 480, 487
to relinquish to the U. S. government a lot of ground on which to erect a light House at Biloxi, 480
for the relief of Shields L. Hussey, 426, 461, 492, 500
to authorize H. S. Cualking, his heirs &c, to erect a ferry across the Mississippi river at Rodney, 429, 462, 480
to amend an act amendatory of the penitentiary code, 430, 510, 514
to reduce the fees of certain officers in the county of Amite, 434
to change the name of Caroline and others (Smiths) 434, 445, 446
to amend the laws, so far as the probate judge and clerks are concerned, so far as relates to the county of Winston, 434–5
for the relief of Jno. Patterson, 435, 446, 455
to incorporate the Vicksburg Baptist church, 435
to incorporate the Columbus Trades Union Society, 435, 446, 448, 458
to repeal act declaring Buck Island Bayou a navigable stream, 435
to incorporate the Canton Lodge No. 28 of Free and Accepted Masons, 436, 446, 458
to incorporate the Mississippi Manufacturing Company, 436
to authorize a change of venue in certain cases, 437, 441, 483
to provide for the future management of the common school fund in Tishemingo county, 438, 448
to incorporate the Columbus Division No. 9, of the Sons of Temperance, 438, 458, 498
to extend the terms of the probate court in Leake county, 438
to incorporate the Vicksburg Royal Arch Chapter No. 3, 438, 446, 458, 498
for the relief of Joseph Foster, 440, 481, 488
for the relief John McClellan, 446, 458
to incorporate Canton Lodge No. 74, of Masons, 446, 458, 498

BILLS—to incorporate Scott Lodge No. 9, of Free and Accepted Masons 446, 459, 498
to incorporate Hebrew Ketusha, a benevolent society in Natchez, 446, 459, 497
to incorporate Covenant Lodge No. 30 of I. O. O. F. 446, 459, 498
to change the time of holding the circuit courts in the 2d judicial district, 447, 459
to authorize the removal of the county seat of Issaquena, 447
to authorize the court of probates of Marion county to be held in the clerk's office, 447, 459, 477
to appropriate a portion of the Yazoo City Hospital funds to educational purposes, 447, 460, 478
to change the time of holding the probate court of Coahoma county, 447, 459
to incorporate the German benevolent society in the city of Natchez, 447, 460
to amend the act incorporating the town of Rodney, 447, 460, 478
to impose a penalty on justices of the peace for violating the law in regard to their duties, 450, 466, 467, 528
to provide for a call of convention to form a new constitution, 451, 485, 529, 607, 630, 638, 639, 648, 868, 869
to extend the rail road easterly beyond Jackson, 451, 473–4–5, 496, 536, 584, 610, 631, 632, 650, 662 730
to authorize decrees of divorce in certain cases, 453
incorporating all bodies and societies of ancient Free Masons, &c. 453–4, 504, 595–6, 605
to incorporate Brandon Division No. 7, of the Sons of Temperance, 454, 487
to establish an inferior court of Chancery in southern part of this State, 454, 488
to amend an act incorporating the Grenada Bridge and Turnpike Company, 455, 488, 495
for the relief of Cornelius O'Sullivan, 460, 478, 486
for the relief of John Dean, 460
for the benefit of John Moore, 460, 478, 486, 488
concerning the code of Mississippi, 464, 489 506, 631, 677, 684, 696, 699, 700, 703, 868
to reduce the fees of certain officers in Wilkinson and Franklin counties, 469 489
concerning judgment liens 470
to abolish the office of State commissioner and for other purposes 470, 489

BILLS—to repeal the 1st, 2nd and 3d sections of the act to regulate the practice of the circuit courts approved February 22d, 1840, and to amend the law in relation to forthcoming bonds, 471–2
to authorize the police court of Itawamba to levy a special tax, - - - - 478, 486, 494
to incorporate the Royal Arch Chapter of Free and Accepted Masons, in Yazoo city, 478, 486, 494
to change the time of holding the probate court in Harrison county, - - - 478, 487, 494
to incorporate Coffeeville Lodge No. 83, of Free and Accepted Masons, 478, 487, 495
to incorporate Louisville Division No. 11, Sons Temperance, 478, 487
to incorporate Columbus Artillery Company, 479, 497
to restrict the jurisdiction of the sheriff in certain cases therein mentioned, - - 479
to annex, in the county of Adams, T. 8, R. 2 west, to T. 8, R. 3 west, and for other purposes, - - - - - - 479
to repeal the 1st, 2d and 3d sections of an act to regulate the practice in the circuit courts, approved February 22d, 1840, - 479, 487, 533
to authorize the Grand Gulf Rail Road and Banking Company to sell their railway, 484, 495, 507
to authorize judges of the circuit courts to employ additional counsel in certain cases, 485, 531–2
to compel banks out of the limits of this State to take their notes in payment of debts due from citizens of this State, 485, 495, 678
to divide the 51st regiment of Mississippi militia, 485, 496
to provide for the support of the poor in the city of Jackson, 485, 495
for the relief of the representatives of Jonathan Hunt, dec'd. 487, 495
for the relief of Wm. Halliburton, 491, 503
for the relief of L. D. Perry, 492, 503, 508
to provide for the sale of the 500,000 acres of land donated to the State of Mississippi by Congress, for purposes of internal improvements, 492–3, 515, 568 574 to 578, 586, 709, 710, 711
to change the time of holding the probate court of Issaquena county, - - - 495–6
to reduce the per diem allowance of the judge of probates of Lauderdale county, - - 496
for the relief of James Pritchard and others, 499, 523
to regulate the practice and proceedings in the High Court of Errors and Appeals, 501, 633, 694

BILLS—to authorize judges of probates to make allowances to executors &c. in certain cases, 501, 533–4
to authorize the citizens of Hancock to locate their county seat, &c. - 502; 580, 603, 619
to amend the acts relative to the town of Commerce, - - - - - - - 502
to provide for the construction of a levee on the banks of the Mississippi river, &c. - 502
to authorize Henry L. Hampton to erect a mill-dam, - - - - - 504, 514
to enable tax collectors more efficiently to collect the revenue of this State, - 509, 568, 583
to regulate the collection of debts arising from rents and leases, - - - 509, 514, 532–3
to change the time of holding the courts in the 7th judicial district, - - - 509, 564,–5
to prevent frauds in conveyances, &c. 510, 59[illegible], 654, 686
for the relief of John Deer, sen'r., 511, 514, 747
to provide for leasing the Chickasaw school lands, - 512, 597, 622, 623, 629, 630, 638
to transcribe into suitable books the records of the probate court of Desoto, - 514, 530
for the relief of W. W. Smith of Panolo county, 515
to incorporate the Canton Male Academy, in the county of Madison, - - - 515, 563
for the relief of Israng & Wagner, - 525, 611
to define the boundary line of the counties of Coahoma and Tunica, - - 526, 611
to change the time of holding the courts of the 6th judicial district, - 526–7, 556, 601
to amend an act incorporating the town of Shieldsboro', - - - - - 527, 633
to establish a ferry across Yazoo river at Yazoo city - - - - - - 534, 652
to incorporate Pontotoc Lodge No. 81, of Free and Accepted Masons, - - 534, 652
to incorporate Jackson Division No. 34, of the Sons of Temperance, - - 534–5
to provide for the election of a tax collector in the county of Amite, - - - 535–6
to amend an act incorporating Hernando, 538, 652
to define the line between Desoto and Tunica counties, - - - 510, 632, 652
reconsideration, - - - 638
to provide for the payment of the Planter's Bank bonds and Coupons, 540, 611, 712, 713, 714, 715, 746 754, 813
for the relief of James Bond, &c. 541, 556, 652

BILLS—to attach fractional township, range 2 west, to Tunica county, - - - - - - 541
to incorporate the wardens and vestrymen of Trinity church, Yazoo city, - 545, 652, 730
for the benefit of the convicts in the Penstentiary, - - - 548, 602, 656, 687
to establish a Lunatic Assylum for the State of Mississippi, - - 548, 608, 632, 759
for the relief of Emily Thompson, - - 551
to regulate the practice of the circuit courts in this State in certain cases, - - 552, 601
to incorporate Aberdeen Female Academy, 553
to remove the seat of justice of Monroe county from the town of Athens, and permanently locate the same in Aberdeen, - - - 531
to extend certain privileges to benevolent societies, Odd Fellows, Masons, &c. - - 557
for the relief of W. D. Wilkinson, - 559, 565
to amend an act incorporating Canton and Jackson rail road, - - - 559, 564
to authorize the circuit court of Leake county to sell certain judgments, &c. - 559, 560
to incorporate the Grand Royal Arch Chapter of the State of Mississippi, - 560, 565, 572
to incorporate Louisville Lodge No. 75, of Free and Accepted Masons, - - - 560
to incorporate the board of trustees of the Odd Fellows hall at Natchez, - - 560
to authorize the board of police of Jackson, Hancock and Harrison counties to grant licenses for wharves, - - - 560, 561
to incorporate the town of Quitman, in the county of Clarke, - - - 562, 653
to amend the acts relative to proceedings against incorporated banks, &c. 564, 591, 646, 686, 749, 756
for repairing the State capitol and executive mansion, - - - - 565, 653, 685, 723
to incorporate the trustees of Eureka Masonic College, at Richland, in Holmes county, 566
to provide for the removal of the seat of justice in Yazoo county, - - - 566, 580
for the relief of J. W. Wade, 567, 612, 622, 646–7
to secure the collection of jury tax, and to protect the officers of courts, 568, 653, 685, 779, 780, 887
to amend the laws in relation to writs of injunction, &c. - - - - 569, 617
to incorporate the Mutual Life Insurance Company of Mississippi, - - 571, 617

BILLS—to amend the law regulating appeals on writs of error, - - - - - 571, 593
to refund to J. C. Robertson a sum therein named, 573
for the relief of Henry Flowers, - - - 573
for the relief of Augusta Pitchford of Holmes county, - - - - - 593, 647
for the election of a clerk of the superior court of chancery, - - 580, 655, 760
to legalize the lease of the 16th sections in Pike county, - - - - - 583
to abolish the office of state architect, 583, 653
to amend the practice of the several courts of this state, - - - - 583, 678, 707, 794
to authorize the Auditor of Public Accounts to to purchase fuel, &c., - - - - 584
to incorporate the New Orleans and Ohio telegraph company, - - - - 584
to incorporate the officers &c. of Vicksburg Division No. 1, Sons of Temperance, - - 585
to enable the citizens of Vicksburg to build a pest house, - - - 585, 654, 686
to divide the 48th regiment Mississippi militia, 585
to amend act incorporating the town of Monticello, - - - - 585, 605, 618
to incorporate Tombigbee encampment No. 6, I. O. O. F., - - - 585, 605, 618
to incorporate McKendree Lodge No. 32, of I. O. O. F., - - - - - 586, 605
to amend act reducing certain fees so far as relates to Harrison county, - - 580, 653
to regulate the expenditure of the Auditor's contingent fund and supply the court rooms in the capitol, - - - - - 580
relative to insolvent debtors, 590, 591, 654, 655
relative to the militia laws, - - - 590, 654
for the relief of the Raymond female institute, 594, 655
to incorporate the Raymond female institute, 595, 655
to amend act to incorporate the Locopolis rail road company, - - - - - - 596
to prohibit the burning of woods in certain counties therein named, - 596, 655, 674, 675
to change the time of holding the courts in the 3d judicial district, - - - 599, 600
to amend the revenue laws of this state, - 601
for the relief of Richard G. Steele, - 603
to authorize Robert B. Miller to remove the property of Clarence Miller out of the limits of this state, - - - 603, 656, 679

BILLS—requiring members of the boards of police to act as overseers of the poor, - - 605, 618
to establish an institution for the instruction of the blind, - 605, 606, 626, 627, 651, 664
to dispose of the public buildings in Athens, Monroe county, - - - - 607
to amend act to incorporate Lexington and Honey Island turnpike company, - - 608
to extend the time of holding the probate court of Marshall county, - - - 608
granting a charter for a ferry at Barton, - 609
to define the line between the 46th and 49th regiments Mississippi militia, - - 609
to incorporate Deer Creek rail road company, 610
to incorporate the town of Spring Hill in the county of Tippah, - - - 612
for the relief of William B. Kavanah, - 612
supplemental to act to change time of holding courts in the 7th judicial district, - 614, 615
for the benefit of Aberdeen female academy, 617
to prevent obstructions in navigable streams, 620
for the relief of Thomas Blewit Godbold, 621, 635 656, - - - - - 696
to establish Keaton's ferry on Tombigbee river, supplementary to an act to establish a system of common schools, - - - 624
to prevent accidents and injuries in the sale and use of secret medicines, - 625, 760, 761
to incorporate the town of Danville in Tishemingo county, - - - - 627, 637
for relief of Edward Martin, - 627, 628
to remove the civil disabilities of Jackson Darden, - - - - 628, 635
supplementary to act establishing an inferior chancery court in the northern district of Mississippi, - - 628, 636, 709, 711, 712
to amend act in relation to circuit courts, approved March 2, 1833, - - 628, 636, 648
for relief of James Foster, guardian, &c, 628, 637, 549
for permanent location of the seat of justice of Coahoma county, - - - 628
to incorporate town of Hillsboro in Scott county, 629
for the relief of Wm. Halliburton, 629, 637, 649
to increase the pay of jurors in the counties of Lawrence and Marion, - - 631, 656
to prevent the selling or giving slaves spirituous liquors, - - - 633, 634, 680, 681
for the relief of Ellen Cherry, - 634, 678

BILLS—to define the duties of the board of police of Tippah county, &c., - - - - - 634
to further amend the laws in relation to probate courts, - - - - - 637
for the relief of the Natchez hospital, 637, 649, 661
to define the boundary line of Tunica county, 641
to provide for the payment of sheriff's costs in certain cases, - - - - 641
to change the time of holding the probate court of Jefferson county, - - - 645
concerning the state commissioner, - 645, 679
to amend act authorizing the mayor &c., of Jackson, to erect a bridge across Pearl river, 647
for the relief of Thomas J. Likens of Washington county, : : : : : : 649
to authorize P. W. Hemphill and others to erect a ferry over Big Black river, &c., : 650
to change the times of holding the police court of Hancock county, : : : 650
to extend the time of holding the probate court of Noxubee county, : : : : 650
to incorporate Houston Division No. 25, sons of temperance, : : : : 651
to attach the county of Claiborne to the southern district chancery court, : : : 658
to authorize West Feliciana banking company to close their affairs, &c., 660, 697, 698, 724, 725, 869
to amend act amendatory of the laws in relation to courts of probate, : 661, 699, 856
to prescribe the number of legislative clerks, 661, 698
to divide the 37th regiment Mississippi militia, : : : : 663, 675, 676
for relief of Wm. T. Courts, : : 663
to exempt from sale &c. libraries of ministers of the gospel, : : : : 664
for the benefit of the returned officers and soldiers from Mexico, : : 665, 698, 699
to take the sense of the people on calling a convention (substitute bill) to amend constitution, : : : 665, 666, 667, 675
to require the trustees of the 16th sections in Clarke county to make deeds, &c., : 668
to extend the corporate limits of Jackson, 669
to incorporate Ridgely Lodge No. 23, of I. O. O. F. 670
to incorporate the town of Marion in Lauderdale county, : : : : : 670
to authorize W. B. Reed and R. A. Howard to construct a turnpike, &c., : : 670

BILLS—to provide for and establish common schools in the county of Hinds, : : : 671
to prevent obstructions in navigable streams, (a substitute bill,) : : : 672, 699
to incorporate the Grand Division of the sons of temperance of Mississippi, : : 673
to amend the laws in relation to last wills and testaments, : : : 673, 680
to provide for the appointment of deputy clerks in vacation, : : : : 673, 706
to incorporate the Mobile and Ohio rail road company 674
to provide the mode of administering the oath of office to newly elected county officers, : 676
for relief of Richard E. Stratton, : 676, 682
to incorporate the town of Pass Christian, : 676
for the relief of Jane Herod and others, 676, 682, 790
to incorporate the town of Philadelphia in Neshoba county, : : : 677, 682
to legalize the public roads in Coahoma county, : : : : 677, 682, 694
to reduce the ex officio services of the clerks and sheriffs in Perry, Green, Jones, Rankin and Scott counties, : : : 677, 694
to dispose of surplus copies of reports &c. now in the state library, : : 677, 682, 694
to authorize Israel Dille, guardian, &c. to sell certain real estate of his wards, : 680
to extend time to Andrew Kerr to complete a turnpike road in Tunica county, : 682
for relief of Wm. H. Batte, : 683, 694
to change the time of holding the district chancery court at Carrollton, and the circuit court of Holmes county, : : : 683
to amend act incorporating Homochitto turnpike and bridge company, : : : 683, 694
to amend the act to prevent the destruction of oysters, &c., : : : 687
to add certain counties to the southern vice chancery court district, : : 688, 721
to incorporate the Noxubee and Bigbee road company, : : : : 688
to repeal an act providing for funding treasury warrants, issued prior to January 1841, 688, 795
to exempt certain property from execution and sale, 688, 796
to prevent accidents in the sale and use of secret medicines, 688, 795

BILLS—to prescribe the duties of the librarian and keeper of the capitol, 689, 712
for the relief of the administrators of James T. Stockard, dec., 690
for the relief of the officers and privates of the "Marshall Guards," 1st Miss. regiment, 690
for the relief of Wiley C. Edwards, 691
to repeal an act to regulate the practice of the Circuit Courts in certain cases, approved 3d March, 1846, 694, 5, 795
to provide for the removal of the seat of justice of Harrison county, 695
for relief of James S. Bailey, 695
to legalize the sale of the sixteenth section, township six, range sixteen east, in the county of Lauderdale, 695
to incorporate Holly Springs Rail Road Company, 696
to remove the Vice Chancery Court from Fulton to Aberdeen, 701
to repeal acts incorporating the town of Greensborough, &c., 701
to prevent the sacrifice of property sold under executions and other purposes, 706, 790
relative to the licensing billiard tables, 706, 707
to authorise the Governor to commute punishment in certain cases, 708
to authorise the State Commissioner &c. to compromise with debtors of the sinking fund, town lot fund, &c., 716, 717
to allow and confirm emancipation of slaves &c. of Thomas Y. Grinstead, dec., 719
to amend the road laws of the county of Monroe, 719
to amend act approved 5th March 1846, in relation to Courts of Probates &c., 720
for relief of James M. Wynn, 720, 727, 728
to incorporate the "Lowndes Invincibles," 721
to provide for the application of common school fund of Marion county &c., 721, 778
to simplify the proceedings in suits of slander, 721
requiring the treasurer of Pontotoc county to loan the school fund of &c., 721
requiring sheriffs to execute conveyances in certain cases, 722
to authorise Samuel Stamps, administrator &c., to sell real estate, 722
supplementary to an act to incorporate the Canton and Jackson Rail Road Company, 722
to prescribe the mode of punishment for petty larceny, 722

BILLS—to define the duties of Judges on applications for writs of *habeas corpus*, continuances and change of venue in criminal cases, 727, 888, 889
to provide for the resumption of payment of the liabilities of the State on account of the Planters Bank bonds, 731, 746
for the further endowment of the "University of Mississippi," 732, 738, 739
to incorporate the Vicksburg Saving Society, 734, 758, 778, 779
to reduce the corporate limits of the town of Holly Springs, 735
to incorporate the town of Charleston in Tallahatchie county, 737
to confer on John W. Snodgrass, minor, certain privileges, 738
supplementary to an act to incorporate the Holly Springs Rail Road, 739
to incorporate the town of Oakland in Yalobusha county, 739, 778
to prohibit the sale of vinous and spirituous liquors within five miles of the University, 739, 740, 778, 794, 795
to repeal the fourth section of an act for the suppression of tippling houses &c., 741, 742, 807, 816, 817
to change the name of Martha Knowland, 744
for the relief of Thomas Pleasants, 744, 780
to provide for the authentication of deeds, powers of attorney &c., 744, 745
for the better regulation of the State library, 745, 780, 781, 803, 874
to amend an act for the more healthy police of the city of Natchez, 745
to amend the acts establishing the two Vice Chancery district Courts—northern and southern, 747, 749, 781
to amend the practice in the Superior and District Courts of Chancery, 747
to regulate the publication of the laws of this State, 700, 747
relative to the Trustees of the University of this State, 748
to amend the laws in relation to free negroes and mulattoes, heretofore passed, 748, 749
to incorporate the Washington Fire Engine Company No. 4, of Vicksburg, 750

BILLS—to incorporate Hernando and Mississippi Rail Road Company, : : : 751
for equalizing State laws, : : : 753
to authorise R. Robson and E. Armstrong to to construct a turnpike in Tallahatchie county, 755
for the relief of the sheriff or tax collector of Monroe county, : : : 755
to establish a uniform standard of weights and measures in this State, : : 755, 756
for the relief of the widow and heirs of James Matlock, deceased, : : : 759
to make an appropriation for a mounment to the memory of the Mississippi Volunteers who fell in the war with Mexico, : : : 770
to reduce the taxes of this State, : : 770
to authorise certain alterations in the offices of Auditor and Treasurer, : : : 775, 871
to change the time of holding the Circuit Courts for the counties of Leake and Attala, : 775
for the relief of John A. Cotton, : : 776
in relation to the redemption of land purchased by the State for taxes, : : : 776
to provide for compensation for persons employed in the registration of the 500,000 acres of land, : : : : : 777, 859
to incorporate Robert Nelson Lodge No. 18, I. O. O. F., : : : : 780
to amend the act to secure to the owners of slaves executed by sentence of law, compensation, 777, 798, 799, : : : : 800
for the relief of Charles Clarke and others, : 782
to authorise the corporate authorities of North Mount Pleasant to erect a prison or place of confinement, : : : : 783
to exempt the city of Natchez from the operations of the flour inspection laws, : 783, 806
to regulate suits in justices courts in certain cases, : : : : 784, 806
to reduce into one the several acts in relation to revenue, &c., : : : : 784
to repeal in part the law of 1841, providing for the funding of treasury warrants, : : 784
for preserving and repairing levees in the county of Washington, : : : : 784
to revive an act to incorporate the town of Chulalahoma, &c., : : : 784, 785
to revive an act to incorporate the town of Macon, in Noxubee county, approved 22d, February, 1842, : : : : 785

BILLS—to amend an act to incorporate the trustees of Louisville Academy, &c. : : 785
to incoporate the town of Snowsville, in Choctaw co. 785
to change the name of Tishemingo county, 786
for the benefit of the Salem Male and Female Academies, : : : 780, 807
for the benefit of the tax collectors of Washington county, : : : : 786
to facilitate the collection of the revenue of the city of Vicksburg, : : : 787
for the relief of Ezekial McNabb, : 787
to change the name of Green Hamilton Alford, 787
to declare Roebuck Lake a navigable stream, 788
to punish disturbers of public worship, : 789
to authorize D. B. Nailor, his heirs, &c., to build a bridge, &c. : : : : 789
in relation to the school fund, T. 12, R. 2 east, in Yazoo county, : : : 789, 790
to repeal an act prohibiting the police court of Sunflower county from levying a special tax, &c. 790
to incorporate Evergreen Lodge No. 77, 790
to repeal an act to authorize the board of police of Bolivar county to locate the seat of justice of the county &c. : : 790, 791
granting Jno. V. Newman of Bolivar county, ferry privileges, &c., : : : 791
for the relief of certain citizens of the county of Jones, : : : : : 791
to reduce the salary of the tax assessor in the county of Jackson, : : : 792
to restore the town of Woodville certain privileges &c., : : : : 792
to remove the civil disabilities of Felix G. Funchess, a minor, of Hinds county, : 793
to incorporate Euphemia Chapter of Royal Arch Masons, : : : : 793
for the relief of Tilatoba slack-water navigation company : : : : 793
for the relief of Jefferson J. Hughes, 794, 806, 872
supplemental to an act to authorize P. B. Starke to erect a toll bridge, &c., : : 794
to authorize the Governor of the State to purchase certain maps in this State, : 795
to authorize the mayor and aldermen of incorporated towns to prevent ten-pin alleys, &c., 796
to amend an act to change the time of holding the probate courts of Coahoma, &c., : 797
in relation to the Commercial and R. R. Bank of Vicksburg, : : : : 797

BILLS—to extend the time of holding the probate court of Attala, : : : : 802
to repeal an act to establish a system of common schools, &c., as to T. 16, R. 18 east, situate in Noxubee county, : : : 802, 803
to provide further time for holding the circuit court of Noxubee county, : : 803
to incorporate Columbus Female Institue, &c., 807
to repeal an act to regulate the payment of judgments, &c., against the State, : : 808
to permanently locate the county seat of justice of Tunica county, : : : 808
to repeal an act relative to the probate judge, &c., of Covington county, : : 808–9
for the relief of Mary Mettauer, a woman of color : : : : : 811
in relation to taxes, : : : 811
to authorize Hugh R. Miller of Pontotoc county to remove certain property of his wards, &c., 814
to provide a board of commissioners to examine books of Auditor, Treasurer, and Executive department of State, : : 814, 815
to authorize the voters of Coahoma county to permanently locate their county seat, : 816
supplemental to an act for the sale of the 500,0000 acres of land, &c., : : : 818, 872
amendatory of the act to incorporate the town of Canton, : : : :
concerning the Hernando Female Academy 822
for the relief George Holly, : : 822
to abolish the office of State commissioner, and for other purposes, : : : 851
to enable the Governor and Attorney General to compromise with the securities of Richard S. Graves, &c., : : : : 856
amend an act to establish a system of common schools, &c., : : : : 858
to repeal an act of March 5th, 1846, &c., in relation to common schools, : : 859
to amend the road laws, &c., : : 859
to amend the laws in relation to the State revenue, : : : 869, 870, 875, 877
making certain appropriations therein named, 870, 880 881, 882
to change the time of holding the probate court of Wayne county, : : : : 871
to provide for the sale of land heretofore purchased by the State for taxes, : : 873

BILLS—to reduce the per diem allowance of the board of police of Jackson county, : : 874
in relation to the common school fund of Harrison county, : : : : : 874
to reduce the per diem &c. of board of police, Harrison and Hancock counties, : 875
to repeal the 62d section of 36th chapter of the law, Howard & Hutchinson's Digest, : 877
for the relief of Silas L. Steen, : : 877
supplemental to an act for the relief of the tax collector of Monroe county, : : 879
to amend laws in relation to writs of error and judgments and decress, &c., : : 879
to amend act of 22d Feb'y., 1830, to regulate the practice of the circuit courts, : 880
for relief of John T. Johnson, : : 884
to regulate the public printing, : : 885
for relief of Thomas Kirkman, : : 886
supplemental to act in relation to county seat of Yazoo, : : : : 888
to change the time of holding probate court of Yalobusha county, : : : 889
COMMITTEES—to wait on the Governor, &c, - - 10
standing committees announced from the chair, 351, 2
joint standing committees on the part of the House, 352
to revise the joint rules, - - 352, 6
select on petition R. E. Yates, et al, - 352
on petition of L. L. Bridges, - 353
on petition of Jacob Magee, - 353
joint select to invite Generals Taylor and Quitman to visit the capitol of Mississippi, - 359
of the whole house on Governor's message, - - - 363, 373, 5
joint committees on the parts of the Governor's message referred in committee of the whole, 376
to wait on the Governor elect, - 376
to draft a bill providing for a call of a convention, - - - - 385
select committee to take into consideration all the petitions of setlers on the school lands, - - - - 396
committees on parts of the Governor's message, - - - - 397
select on petition of citizens of Issaquena and Washington, - - - - 406
joint select on the subject of taxation of slaves of non-residents, - - - 407
joint select in relation to the laws and journals, 426

COMMITTEES—select on resolutions of the national medical convention, - - - - - 409
select on bill to extend the rail road easterly beyond Jackson, - - - 451
select on petition of John Deer, sr. - 469
joint on education, - - 473, 506
joint on the reorganization of the judicial districts, 477
select on petition of J. E. White, - 499
select on bill for relief of J. Pritchard, et al, 499
on bill to provide for the sale of the lands purchased by the State at tax sales, - 503
on bill incorporating all bodies and societies of masons, odd fellows, &c., - 504
on bill to change the time of holding the courts in the 7th judicial district, - - 509
on petition of John B. Richards, - 525
on petition of Charles Done, et al, - - 552
on petition of John A. Cotton, - - 562
on petition of citizens of Tippah, - - 568
on memorial of voters of Hancock county, 580
on resolution in relation to printing laws, - 571
select on petition of Anna Martins, - 597
joint under the resolution in relation to a new judicial district, - - - 602
select on memorial of S. B. Malone and others, 602
on bill to prevent obstructions in navigable streams, - - - - 620
on petition of Thos. B. Godbold, - 621
on bill for the relief of James W. Wade, 622
on bill in relation to secret medicines, 625
on bill to locate seat of justice in Coahoma county, - - - - 628
on bill to define boundary line between Tunica and Desoto counties, - - 634
on memorial of Wm. Hundly and others. 635
on bill to prohibit the burning of woods &c. 655
on memorial of Asa Whitney, - 661
on memorial of Hilliard & Foute, - 663
on affairs of state commissioner, - 674
on petition of citizens of Noxubee, - 678
on petition of James Stockard and Charles G. Butler, administrators &c., - 678
on bill to prescribe the duties of the Librarian, - - - 689
on memorial of monument committee, 691
on resolution relative to weights and measures, - - - - 699
on bill supplemental to act creating northern vice chancery court, - - 706

COMMITTEES—on bill for the relief of James M. Wynn, 720
on petition of citizens of Pontotoc county, 730
on petition of citizens of Desoto, 735
on petition of stockholders of Commercial and rail road bank of Vicksburg, 725
on bill to provide for the payment of the Planters bank bonds, coupons &c., 747
on report for the best mode of examining the books of the Auditor and Treasurer from the year 1836 to the year 1848, 759
on petition of Wm. M. Brown and R. Jarvis, 867
on petition from officers in Coahoma county, 776
relating to death of ex-president J. Q. Adams, 888

CLAIMS PRESENTED AND REFERRED.
of S. N. Pryor, 358
of Geo. Torrey, 358
of Geo. Hawkins, 358
of Wm. H. White, 359
of T. Mitchell and C. C. Scott, 371
of James T. Owen, 371
of J. Kittrell, 382
of H. and D. Miller, 382
of Younger Pitts, et al 383
of Stephen Langford, 391
of C. A. Parker, 391
of H. W. Byrn, 391
of A. P. Boyd, 454
of Geo. Masters, 473
of J. M. Graybill, 473
of Wm. B. Tisdell, 473
of Waldron & Co. 499
of Henry Mettauer, 538
of J. B. Nevitt, 545
of J. B. Haughton, 545
of W. L. Duncan, 548
of Samuel K. McMaster, 582
of Wm. Clark, ex-treasurer, 596
of C. W. Waldron & Co., 602
of W. E. Terrell, 620
of W. H. Pope, 621
of Registers of land offices, 645
of John L. Davis, 646
of James Wilson, 662
of E. L. Ace, 707
of J. M. Graybill, assignee, &c., 708
of J. Weathersby, 717
of E. Conklin, 730
of J. Callahan, 730

CLAIMS PRESENTED AND REFERRED.
of H. G. O. Parker, - - - - - 736
of W. H. Cobb, - - - - - 744
of A. Shelby, - - - - - 751
of Walker & Powell, - - - - - 751
COMMUNICATIONS—from Auditor of Public Accounts, 615
do do do 656, 7
do do do 704, 5
from J. E. Matthews and Wm. Clark 869
ELECTIONS—of President of the Senate, - - - 7, 8
of Secretary of Senate, - - 8, 9
of Door-keeper, - - - 9, 10
of Sergeant-at-arms, - - 14, 15
vote in Governor's election of 1847, 366, 7
of state printer, - - - 369, 70
of keeper of the capitol and librarian, 368
of a senator in Congress to fill the unexpired term of Hon. Jesse Speight, deceased, 395, 6
of superintendent of penitentiary, 467, 8
of assistant keeper do - - 468
of clerk, do - - 469
INAUGURATION—of Gov. Joseph W. Matthews and his address, - - - - 386, 90
MESSAGES FROM THE GOVERNOR:
from Gov. Brown at the commencement of the session, with accompanying documents, from page 17 to 350,
reference of documents to a select committee, 350
from Gov. Brown, asking the advice of the Senate on the petition of Thos. Williamson, et al, 356, 372
special from Gov. Brown in regard to funds under his control, &c., - - 278, 82
special from Gov. Matthews to both houses, 516, 522
2000 copies ordered to be printed, - - 523
special nominating state commissioners, - - 544
message transmitting report of commissioners to protect the public timber, - - 642, 3
message nominating inspectors of the penitentiary, 704
veto message, - - - 823
message nominating commissioners of the southern rail road, - - - 857
in relation to judgment vs J. W. Evans, - 884
messages from the governor communicating the approval and signatures of bills, 114, 422, 448, 454, 455, 6, 536, 551, 3, 5, 565, 580, 588, 603, 614, 623, 637, 638, 659, 687, 692, 723, 740, 756, 777, 800, 851, 868, 883. 930, 945, 946, 6, 947, 948, 8,

MESSAGES from the House of Representatives, 10, 13, 15, 350, 352, 357, 361, 2, 3, 3, 375, 377, 386, 391, 7, 398, 404, 412, 413, 416, 418, 426, 427, 428, 430, 443, 445, 450, 455, 456, 462, 467, 475, 476, 490, 491, 497, 499, 500, 603, 506, 512, 523, 524, 530, 532, 535, 545, 548, 551, 562, 566, 569, 572, 580, 581, 589, 592, 598, 600, 606, 613, 614, 616, 620, 624, 634, 639, 641, 648, 655, 658, 662, 672, 684, 691, 701, 705, 709, 715, 717, 723, 726, 728, 731, 734, 735, 742, 745, 751, 761, 864, 774, 791, 798, 809, 818, 819, 820, 820, 823, 852, 859, 860, 865, 872, 879, 383, 884, 887, 888, 890, 893, 893, 903, 912, 913, 919, 927, 929, 933, 934, 937, 940, 941, 941, 942, - - - - - - 946

MEMORIALS—of A Hutchinson, - - - 396
of sundry members of the bar, - - - 398
of James Champlin, - - - 309
of J. T. Spann and others, - - - 406
of Joseph D. Foster, - - - 426
Charles Scott, and Geo. T. Swann, - - 451
of sundry citizens of Noxubee, - - 485
of the legislature to Congress, - - 561
of voters of Hancock county, - - 580
of S. B. Malone, and others, - - 602
of Legislature to Congress, - - - 605
of Legislature to Congress, - - - 609
of Legislature to Congress, - 618, 626
of Wm. Hundly, and others, - - - 635
of Israel Dille, - - - - - 660
of Asa Whitney, - - - - 661
of J. H. Hilliard and J. B. Foute, - 668
of monumental committee, - - - 691
of Legislature to Congress in relation to stage routes, - - - - - 733
of Congress in relation to mail routes, - 880

ORGANIZATION—5, - - - - - 10

PETITIONS—of R. E. Yates and others, - - 352
of L. L. Bridges, - - - 353
of Jacob Magee, - - - 353
of J. S. Champion, - - - 353
of Archibald Maloy - - - 358
of Geo. Hawkins, - - - 358
of Thomas Mabry and others, - - 360
of James T. Owens, - - - 370
of James M. Evans and Geo. O. Wilson, 371
of C. S. Morriss, - - - 371
of A. L. Dabney and others, - - 371
of A. R. Johnston, - - - 371

PETITIONS—of Joseph Horn, - - - 382
of J. Kittrell, - - - 382
of George Markham, - - - 383
of Thos. Mabry, and others, - - 391
of sundry citizens of the county of Hancock, 391
of sundry citizens of Issaquena and Washington counties, - - - - 406
of L. V. Dixon, - - - 407
of William Halliburton, - - 415
of L. D. Perry, - - - 416
of sundry citizens of Grand Gulf, - 417
of H. S. Caulking, - - - 429
of John H. Dale, executor &c., - 449
of Wm. Thompson, - - - 462
of Edwin Mortimer, - - - 462
of John Deer, sr., - - - 469
of citizens of Coahoma, - - 490
of Wm. C. Page, - - - 490
of James E. White, - - - 499
of J. Carlyle, - - - - 504
of Sterling G. Lester, - - - 510
of Israng & Wagner, - - - 513
of sundry citizens of Warren, - - 513
of John B. Richards, - - - 525
of Wm. Parrott, - - - 531
of L. D. W. Duckworth, - - 537
of sundry citizens of Mississippi, - 537
of Henry Mattauer, - - - 538
of J. Graham, - - - - 545
of sundry citizens of Holly Springs, - 552
of Charles Doan, et. al., - - 552
of sundry citizens of Jones, - - 562
of John A. Cotton, - - - 562
of sundry citizens of Tippah, - - 568
of Thomas Wilson, - - - 583
of sundry citizens of Hancock county, - 591
of Anna Martins - - - 597
of Thomas B. Godbold, - - 620
of John A. Grimball, - - - 663
of John L. Davis, - - - 646
of James H. R. Taylor, - - 669
of Simeon P. Holden, - - - 670
of sundry citizens of Noxubee, - 678
of James Stockard & Chas. G. Butler, admrs., &c., - - - - - 680
of E. L. Acee., - - - 707
of John Snodgrass, - - - 728
of citizens of the county of Pontotoc, - 730

PETITIONS—of citizens of Vicksburg, - - - 734
of stockholders of Commercial and Rail Road Bank of Vicksburg, - - - 735
of citizens of De Soto county, : : 735
of Henry Mattauer, - - - 768
of officers of Probate Court of Coahoma, 776
of Jacob Unger, - - - - 795
of Wm. M. Brown & R. Jarvis, - 867
PROTEST—entered by Messrs. W. A. Lake and James L. Alcorn, against the bill providing for the sale of the 500,000 acres of land, - - 604
RESOLTTIONS—in relation to the hour of meeting and adadjournment, - - - - 350
joint, in relation to counting the votes for Governor, the election of State Printer and librarian, - - - 354
joint, relative to the election of Senator in Congress, - - 354, 360-1, 391
to go into committee of the whole on Governor's message, - - 355
joint, to invite Gens. Taylor and Quitman to visit the capitol of Mississippi; 359, 392
joint, to raise a committee on part of the Governor's message relating to the 500,000 acres of land, - - 362
joint, in relation to norman schools, - 362
joint, in relation to committee on internal improvements, - - - 370
to authorize the Doorkeeper to employ a messenger, - - - - 37
sundry resolutions referring parts of theGovernor's message, - - - 373, 374
to raise a joint committee to wait upon the Governor elect, - - 378, 383
to raise a joint committee to draft a bill providing for a call for a convention, 385
for the benefit of settlers on the State school lands, - - - - 396, 396
for printing the Governor's inaugural address, - - - - 404
to raise a joint select committee on the expediency of taxing the slaves of non residents higher than those of resident citizens, - - - - 407
in relation to the appointment of a committee on the subject of revising the organization of the judicial districts of the State, - - - 407, 477

RESOLUTIONS—in relation to the Laws and Journals—the number to be printed, 426, 470
of inquiry of the House, 442
to instruct committee of invitation to invite Messrs. Generals Taylor and Quitman, by letter, 444
of the national medical convention, 449
for joint meeting to elect officers of the penitentiary, 450, 455
for same purpose, 455
of instructions to judiciary committee to frame a general bill in regard to incorporations, 455
to make the standing committee on education a joint one, 472, 473
of instructions to judiciary committee in regard to corporations, 479
inviting Capt. Sharpe to a seat in the Senate, 486
to raise a joint committee to examine the dockets of the High Court of Errors and Appeals and the S. Court of Chancery, 488, 489
to raise a joint select committee to visit Oakland College, examine &c., 512
to authorise State Printers to prepay certain postages, 528, 529
to raise a committee to inquire into the necessity of creating a new judicial district, 529, 601
to authorise the Auditor of Accounts to purchase fuel &c., 531
to instruct the judiciary committee to inquire into the propriety of reporting a bill to give overseers liens on crops &c., 550
to raise a joint committee to inquire into the expediency of leasing out the penitentiary, 55
granting leave of absence to Jas. Wellons, 561
of the legislature to Congress concerning the Mississippi volunteers &c., 567
to raise a joint committee to inquire into the manner of printing the laws, 571, 572
to raise a joint committee to inquire into the propriety of reducing the number of under clerks employed by the legislature, 600, 617
of the legislature in relation to Colonel Jefferson Davis, 608
requesting the Auditor of Public Accounts to inform the Senate &c., 610
in relation to hours of meeting and adjournment, 627

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REPORTSS—tanding committee on public buildings, : 565, 723
of standing committee on the penitentiary, 429, 602
of standing committee on internal improvements, 594
of standing committee on education, : 594, 595
of commissioners to protect public timber, 643, 644
SCHOOLS—Norman schools, : : : : 353
school for the blind, : : : : 353
UNIVERSITY OF MISSISSIPPI—communication from J. M. Howry, - - 353
VETO—message returning the bill for the relief of the widow and heirs of James M. Matlock, deceased, of Desoto county, - - - 823
message returning act regulating proceedings against banks, &c., - - - 949, 950
YEAS AND NAYS—on motion to print documents accompanying Governor Brown's message, - 351
on resolution in relation to the election of U. S. Senator, - 360, 361, 361, 361,
on motions in relation to the votes for governor when being opened and counted, 365
vote in the choice of a state printer, 369, 370
on propositions in relation to a call of a convention, 385, 666, 667, 675, 869,
on bill to increase the salaries of district attorneys, - - 411, 424, 432, 481
on bill to grant divorces in certain cases, 453
on bill to repeal the forthcoming bond law, 457
on bill to purchase Chilton's probate court law and practice, - - - 460
on amendment to bill to furnish Harvard college with certain books, - - 461
on amendment or substitute for the bill to repeal the forthcoming bond law, 472, 472
on the questions concerning increasing the number of judicial districts in this state, 477, 501
on bill for the relief of Wm. Halliburton, 503
on bill to authorize the Grand Gulf rail road bank to sell their railway, - - 508
on bill to abolish capital punishment, 530
on bill to regulate the collection of debts arising from rents and leins, - - 533
on preamble in relation to imposing a tax to support common schools, - - 537
on preamble to appropriate money to the Mississippi volunteers, now in Mexico, 541, 542
on proposition to prohibit the circulation of U. S. treasury notes in this state, - 544
on motion to grant overseers liens on crops, 550

YEAS & NAYS—on bill to prohibit the circulation of foreign bank notes in this state, 561
on propositions relative to the bill providing for the sale of the 500,000 acres of land, 574, 574, 575, 575, 576, 576, 576, 577, 578, 586, 587, 587, 709, 710, 710, 711, 711, 711
on bill to enable tax collectors more effectually to collect the revenue of this state, 583
on report of standing committee on internal improvements, 594
on proposed amendment to provide for the sale of lands purchased by the state at tax sales, 598
on bill to provide for payment Planters bank bonds,&c. 611, 713, 713, 713, 714, 714, 715, 814
on resolution in relation to under clerks of the Legislature, 617, 618, 662
on amendments to bill providing for leasing the Chickasaw school lands, 630, 630
on bill to establish a Lunatic Asylum in Mississippi, 632
on reception distribution fund, 638
on bill relief J. W. Wade, 647
on bill relief state hospital, Natchez, 649
on bill incorporating G. D. Sons Temperance, 673
Code of Mississippi, 684, 684, 696, 703, 703
pest house, Vicksburg, 686
West Feliciana rail road company, 697, 697, 698 724, 725, 725
University Mississippi, 732
relative to sale of vinous and spiritous liquors punishment &c., 740, 740, 741, 742, 778, 779
resumption of payment Planters bank bonds, 746
relative to printing acts Legislature, 748
relative to proceedings against banks, 756
relative Vicksburg savings society, 758
election clerk superior court chancery, 760, 761
relative to purchase books for library, 781
relative to sale of patent medicines, 795
on compensation for slaves executed, 799, 799 800, 800
on classification senators, 862, 862, 863, 864 864, 864, 865, 866, 897, 901, 921
settlers on school lands, 867
veto message—bill for relief heirs J. M. Matlock, et al, 874
to amend revenue laws, 878, 878